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Forty-Ninth Legislature

OF THE

State of Montana

Held in Helena, the Seat of Government
Commencing in Third Special Session June 16, 1986
and Ending July 1, 1986

BILL NORMAN
President of the Senate

BONNIE R. WALLEM
Secretary of the Senate

JOHN VINCENT
Speaker of the House

ED SMITH
Chief Clerk of the House

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SENATE and HOUSE JOURNALS

OF THE

Forty-Ninth Legislature

OF THE

State of Montana

Commencing in Special Session
June 16, 1986 and Ending July 1, 1986

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SPECIAL SESSION
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AS INTRODUCED

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SENATE PAGE NO. 29, 34, 39, **40, 42,** 85.

16 INTRODUCED BY SCHYE, LORY, QUILICI, GAGE (BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION): A BILL FOR AN ACT ENTITLED: "AN ACT TRANSFERRING EXCESS INCOME EARNED ON THE SOCIAL SECURITY CONTRIBUTION ACCOUNT AFTER JULY 1, 1987, TO THE STATE GENERAL FUND; TRANSFERRING EXCESS EARNED INCOME FROM THE CURRENT AND PREVIOUS FISCAL YEARS AS OF JUNE 30, 1986, TO THE STATE GENERAL FUND; PROVIDING ALTERNATIVE FUNDING FOR ADMINISTERING THE RETIREMENT SYSTEMS; AMENDING SECTIONS 19-1-602, 19-3-603, AND 19-3-805, MCA; AND PROVIDING EFFECTIVE DATES."

HOUSE PAGE NO. 7, 109, 115, **117, 119,** 168, 188, 201, 213.

SENATE PAGE NO. 79, 105, **110, 113,** 149.

17 INTRODUCED BY SPAETH, J.K. MOORE: A BILL FOR AN ACT ENTITLED: "AN ACT ABOLISHING THE BOARD OF CRIME CONTROL; ALLOCATING BOARD FUNCTIONS TO THE DEPARTMENT OF JUSTICE; AMENDING SECTIONS 7-32-214, 7-32-303, 7-32-2233, 7-32-4112, AND 44-4-301, MCA; AND REPEALING SECTION 2-15-2006, MCA."

HOUSE PAGE NO. 7, 52, 91.

18 INTRODUCED BY PECK, GAGE, O'HARA, SPAETH: A BILL FOR AN ACT ENTITLED: "AN ACT DEPOSITING A PORTION OF THE EARNINGS OF THE PERMANENT COAL TAX TRUST FOR LAW ENFORCEMENT ASSISTANCE; REDUCING THE ALLOCATION OF EARNINGS TO THE PERMANENT TRUST; REVISING THE APPROPRIATION OF MONEY FOR CRIMINAL INVESTIGATION; AMENDING SECTIONS 17-5-704, 17-6-305, 17-6-306, AND 44-13-103, MCA, AND HOUSE BILL 500, LAWS OF 1985; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 7, 115, 121, **133.**

19 INTRODUCED BY PAVLOVICH, HARRINGTON: A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT VOCATIONAL-TECHNICAL CENTER FISCAL YEAR 1987 GENERAL FUND BUDGET CUTS BY THE JUNE 1986 SPECIAL

SESSION BE OFFSET BY COAL SEVERANCE TAX BOND FUND MONEY APPROPRIATED FOR VOCATIONAL-TECHNICAL CENTERS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 7.

20 INTRODUCED BY PAVLOVICH, HARRINGTON: A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT HIGHER EDUCATION FISCAL YEAR 1987 GENERAL FUND BUDGET CUTS BY THE JUNE 1986 SPECIAL SESSION BE OFFSET BY COAL SEVERANCE TAX BOND FUND MONEY APPROPRIATED FOR HIGHER EDUCATION; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 7.

21 INTRODUCED BY BARDANOUVE (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING MONEY TO VARIOUS STATE AGENCIES FOR FISCAL YEARS ENDING JUNE 30, 1986, AND JUNE 30, 1987, WHICH WOULD USUALLY BE MADE BY BUDGET AMENDMENT; PROVIDING FOR SOME APPROPRIATIONS TO CONTINUE FROM FISCAL YEAR 1986 TO FISCAL YEAR 1987; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 11, 115, 121, 125, **134, 143,** 168, 208, 226, 227.

SENATE PAGE NO. 103, 104, 107, **111, 114.**

22 INTRODUCED BY SANDS, NELSON, TOWE, ECK, REGAN, COHEN, FULLER, HAGER, BLAYLOCK, WINSLOW, PECK, ABRAMS, BACHINI, NISBET, VELEBER, ADDY, MENAHAN, RAPP-SVRCEK, SCHYE, CODY, JACOBSON, KEENAN, KADAS, HALLIGAN, HANSEN, QUILICI, CHRISTIAENS, PAVLOVICH, HARPER, MCCORMICK, KITSELMAN, HARRINGTON, HART, VINCENT, COMPTON, PETERSON, B. BROWN, LANE, AKLESTAD, HARDING, HARP, BRANDEWIE, C. SMITH, E. SMITH, BRADLEY, MANNING, YELLOWTAIL, WALLIN, NEUMAN, MOHAR, LYBECK, CONOVER, HANNAH, MONTAYNE: A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING FUNDS FOR LOW-INCOME HOME WEATHERIZATION FROM THE EXXON CORPORATION OVERCHARGE PAYMENT; AND PROVIDING A CONTINGENT EFFECTIVE DATE."

HOUSE PAGE NO. 11, 69, 90, **96, 100,** 150, 160, 201, 227.

SENATE PAGE NO. 57, 72, 87, **95,** 149.

23 INTRODUCED BY REAM, YELLOWTAIL (BY REQUEST OF THE MONTANA COAL BOARD): A BILL FOR AN ACT ENTITLED: "AN ACT APPROPRIATING COAL BOARD

MONEY TO THE GENERAL FUND; AMENDING SECTION 90-6-205, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 11, 90, **96, 101,** 150, 160, 201, 213.

SENATE PAGE NO. 57, 72, 87, **95,** 149.

24 INTRODUCED BY J. BROWN, STORY (BY REQUEST OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES): A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE APPROPRIATION FOR A VOLUNTARY GENETICS PROGRAM; AMENDING SECTION 3, CHAPTER 706, LAWS OF 1985; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 11, 90, **97, 101,** 150, 157, 200, 201, 227.

SENATE PAGE NO. 57, 72, **88, 95,** 149.

25 INTRODUCED BY J. BROWN, STORY (BY REQUEST OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES): A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE APPROPRIATION FOR REVIEW OF SUBDIVISIONS BY THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES; AMENDING SECTION 3, CHAPTER 708, LAWS OF 1985; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 11, 90, 97, **101,** 150, 160, 201, 227.

SENATE PAGE NO. 57, 72, **88, 96,** 149.

26 INTRODUCED BY J. BROWN, STORY (BY REQUEST OF THE DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES): A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE APPROPRIATION TO PROVIDE TRAINING FOR FAMILY PRACTICE RESIDENT PHYSICIANS; AMENDING SECTION 5, CHAPTER 649, LAWS OF 1985; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 11, 90, **98, 102,** 150, 157, 201, 227.

SENATE PAGE NO. 57, 72, **88, 96,** 149.

27 INTRODUCED BY REHBERG, KEATING, NATHE, MILLER, GILBERT, NEILL, J.K. MOORE, O'HARA, ELLISON, CONNELLY, SPAETH, WINSLOW, SWIFT, ERNST, PECK, J. BROWN, SALES, RAMIREZ, GARCIA, JENKINS, SIMON, PETERSON, DEVLIN, KOEHNKE, TVEIT, HANSON, HANNAH, HAYNE, LORY, MILES, PISTORIA, BRANDEWIE, ASAY, NELSON, HARP, KELLER, WALLIN, IVERSON, C. SMITH, EUDAILY, MARKS, PHILLIPS, MANUEL, ABRAMS, VINCENT: A BILL FOR AN ACT ENTITLED: "AN ACT TO FREEZE AT THE JUNE 30, 1986, LEVEL THE SALARIES OF ELECTED COUNTY OFFICIALS, INCLUDING JUSTICES OF THE PEACE, AND THE SALARIES OF APPOINTED STATE OFFICIALS WHOSE

SALARIES ARE NOT PROVIDED FOR IN THE MCA; TO RETURN THE SALARY OF LEGISLATORS TO THE LEVEL IN EFFECT PRIOR TO THE JANUARY 1, 1987, EFFECTIVE DATE OF THE SALARY RAISE BY SECTION 3, CHAPTER 693, LAWS OF 1985; AMENDING SECTIONS 3-10-207, 5-2-301, 7-4-2107, AND 7-4-2502 THROUGH 7-4-2505, MCA; AND PROVIDING EFFECTIVE DATES."

HOUSE PAGE NO. 13.

28 INTRODUCED BY BRADLEY: A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE GENERAL RELIEF PROGRAM TO ELIMINATE REFERENCES TO WHETHER A POTENTIAL RECIPIENT IS ABLE-BODIED OR WITHIN A CERTAIN AGE CATEGORY; REPLACING SUCH CRITERIA WITH A DETERMINATION OF WHETHER THE PERSON IS UNEMPLOYABLE, EMPLOYABLE, OR VOLUNTARILY DESTITUTE; PROVIDING DEFINITIONS OF UNEMPLOYABLE AND EMPLOYABLE; RESTRICTING BENEFITS FOR THE EMPLOYABLE AND REQUIRING PARTICIPATION IN JOB TRAINING; AMENDING SECTIONS 53-3-108, 53-3-109, 53-3-205, 53-3-208, AND 53-3-209, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 13, 60, 117, 131, **138.**

29 INTRODUCED BY SPAETH (BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION): A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE APPROPRIATION FROM THE GRANT PROGRAM SPECIAL REVENUE ACCOUNT FOR ADMINISTRATIVE EXPENSES; APPROPRIATING $500,000 FROM THE GRANT PROGRAM SPECIAL REVENUE ACCOUNT TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR ADMINISTRATIVE EXPENSES OF THE WATER RESOURCES DIVISION; CLARIFYING AND REDEFINING THE AMOUNT OF FUNDS TO BE DEPOSITED INTO THE ENVIRONMENTAL CONTINGENCY ACCOUNT; REPEALING THE APPROPRIATION FROM THE WATER DEVELOPMENT STATE SPECIAL REVENUE ACCOUNT TO THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION FOR EMERGENCY PROJECTS; AMENDING SECTION 2(3), HOUSE BILL NO. 922, LAWS OF 1985, AND SECTIONS 15-38-203, 75-1-1101, AND 75-1-1102, MCA; REPEALING SECTION 10, CHAPTER 717, LAWS OF 1985; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 13.

30 INTRODUCED BY BARDANOUVE (BY REQUEST OF THE OFFICE OF BUDGET AND PROGRAM PLANNING): A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE APPROPRIATIONS FOR FISCAL YEAR 1987; AMENDING HOUSE BILL 500, LAWS OF 1985, AND CHAPTER 737, LAWS OF 1985; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 13, 18, 69, **70,** 148, **152,** 157, 158, 165, 169, 187, 196, 198, **206, 210, 212,** 215.

SENATE PAGE NO. 38, 40, 65, **72,** 109, 127, 130, 139, **142, 143,** 154, 155.

31 INTRODUCED BY SPAETH, BLAYLOCK, RAMIREZ, DEVLIN, KEATING, WEEDING, ABRAMS, HARP (BY REQUEST OF THE DEPARTMENT OF ADMINISTRATION): A BILL FOR AN ACT ENTITLED: "AN ACT CONTINUING FISCAL YEAR 1986 STATE EMPLOYEE COMPENSATION PLANS AND GROUP BENEFITS LEVELS FOR FISCAL YEAR 1987; AMENDING SECTIONS 2-18-301, 2-18-303 THROUGH 2-18-305, 2-18-311, 2-18-313 THROUGH 2-18-315, AND 2-18-703, MCA, AND SECTION 9, CHAPTER 740, LAWS OF 1985; REPEALING SECTION 2-18-312, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 14, 64, 69, **92, 98,** 168, 170, **171, 173,** 175, 188, 201, 213.

SENATE PAGE NO. 57, 107, **118, 122,** 138, 149.

32 INTRODUCED BY WALLIN, BARDANOUVE, LYNCH (BY REQUEST OF THE DEPARTMENT OF LABOR AND INDUSTRY): A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT DURING FISCAL YEARS 1987 THROUGH 1989 PENALTIES AND INTEREST ON OVERDUE EMPLOYER CONTRIBUTIONS APPROPRIATED TO THE DEPARTMENT OF LABOR AND INDUSTRY MUST BE USED TO ADMINISTER THE UNEMPLOYMENT INSURANCE LAW AND FOR JOB TRAINING PROGRAMS; AMENDING SECTION 39-51-1301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 14, 116, 121, **135, 143,** 168, **171, 173,** 208, 215, 227.

SENATE PAGE NO. 103, 104, 109, **115, 116,** 138, 166.

33 INTRODUCED BY HAND, SPAETH, PECK, O'HARA, JENKINS, KEATING, BOYLAN, CHRISTIAENS, NEUMAN, HOLLIDAY, STORY, CONNELLY (BY REQUEST OF THE DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES): A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATING TO PUBLIC ASSISTANCE; LIMITING THE DURATION OF ASSISTANCE PROVIDED TO ABLE-BODIED PERSONS; LIMITING THE AMOUNT OF MONTHLY GENERAL ASSISTANCE; REVISING INCOME ELIGIBILITY STANDARDS FOR GENERAL RELIEF MEDICAL ASSISTANCE; AMENDING SECTIONS 53-3-108, 53-3-109, 53-3-205, 53-3-206, AND 53-3-209, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 14, 117, 125, 130, 139, **141, 145,** 168, 188, 201, 213.

SENATE PAGE NO. 103, 104, 112, **119, 122,** 149.

34 INTRODUCED BY DEVLIN, KEYSER, SWITZER, E. SMITH, KEATING: A BILL FOR AN ACT ENTITLED: "AN ACT TO CHANGE THE PERIODIC REVALUATION OF PROPERTY FOR PROPERTY TAXATION PURPOSES FROM A MAXIMUM OF A 5-YEAR PERIOD TO A 10-YEAR PERIOD; AMENDING SECTION 15-7-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 52.

35 INTRODUCED BY MENAHAN, QUILICI, KITSELMAN, J.K. MOORE, KEATING, KEENAN, DEVLIN, HALLIGAN, SHAW, DANIELS: A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING A NEW CLASS EIGHTEEN PROPERTY FOR NONPRODUCTIVE PATENTED MINING CLAIMS OUTSIDE THE LIMITS OF AN INCORPORATED CITY OR TOWN; VALUING THAT PROPERTY AT THE PRICE PAID THE UNITED STATES; TAXING SUCH PROPERTY AT 50 PERCENT OF VALUE; AMENDING SECTION 15-8-111, MCA; AND PROVIDING AN APPLICABILITY DATE AND AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 52, 130, 148, 149, **150, 154,** 192, 206, **207, 208,** 216, 222, 226, 227.

SENATE PAGE NO. 109, 110, 129, **135, 136,** 155, **157, 159, 161.**

36 INTRODUCED BY ADDY, KEATING, MENAHAN, RAPP-SVRCEK, REGAN, STEPHENS, VINCENT, MONTAYNE, DONALDSON, DRISCOLL, NEUMAN, BRADLEY (BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS): A BILL FOR AN ACT ENTITLED: "AN ACT TO DISCONTINUE STATE OPERATION OF THE MONTANA YOUTH TREATMENT CENTER; TO AUTHORIZE THE SALE OF THE FACILITY BY THE BOARD OF LAND COMMISSIONERS; TO GENERALLY REVISE THE LAWS RELATING TO OPERATION OF THE MONTANA YOUTH TREATMENT CENTER; AMENDING SECTIONS 41-5-207, 41-5-403, 41-5-523, 53-1-104, 53-1-202, 53-1-402, 53-21-112, AND 53-30-211, MCA; REPEALING SECTIONS 53-21-164, 53-21-501, 53-21-502, AND 53-21-505, MCA; AND PROVIDING EFFECTIVE DATES."

HOUSE PAGE NO. 52, 125, 130, 135, **136, 143,** 168, 208, 215, 227.

SENATE PAGE NO. 103, 104, 108, **112, 114,** 137, 166.

37 INTRODUCED BY COBB, GOULD, HANNAH: A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE AMOUNT OF INCENTIVE AWARDS FOR STATE EMPLOYEE SUGGESTIONS OR INVENTIONS RESULTING IN MONETARY SAVINGS TO THE STATE; PROVIDING FOR PAYMENT OF SUCH AWARDS; APPROPRIATING $200,000 TO THE DEPARTMENT OF ADMINISTRATION FOR PAYMENT OF CERTAIN AWARDS; AMENDING SECTION 2-18-1106, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE."

HOUSE PAGE NO. 53, 91, 106, **110, 112,** 160, 165, **167,** 208, 215, 227.

SENATE PAGE NO. 61, 70, 92, **106,** 141, 166.

38 INTRODUCED BY M. WILLIAMS, BLAYLOCK, CONOVER, TOWE, QUILICI, SCHYE, ADDY, KEENAN, PECK, MCCORMICK, REAM: A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE TAX RATE APPLICABLE TO CLASS 15 RAILROAD TRANSPORTATION PROPERTY; AMENDING SECTION 15-6-145, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 53, 89, 114, 115, **118, 120,** 168, 208, 215, 227.

SENATE PAGE NO. 79, 112, **120, 123,** 166.

39 INTRODUCED BY PECK (BY REQUEST OF THE DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION): A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE RENEWABLE ENERGY SOURCES RESEARCH AND DEVELOPMENT STATUTES; PROVIDING FOR THE ADOPTION OF RULES FOR THE REPAYMENT OF GRANTS TO STATE GOVERNMENTAL UNITS; REQUIRING A BIENNIAL REPORT FOR GRANTS TO STATE GOVERNMENTAL UNITS; REQUIRING THAT GRANTS TO STATE GOVERNMENTAL UNITS BE ADMINISTERED ACCORDING TO TITLE 18, CHAPTER 2, MCA, BY THE DEPARTMENT OF ADMINISTRATION; ESTABLISHING AN ANNUAL ALLOCATION OF FUNDS; TRANSFERRING MONEY TO THE GENERAL FUND FROM THE ALTERNATIVE ENERGY AND ENERGY CONSERVATION RESEARCH DEVELOPMENT AND DEMONSTRATION ACCOUNT; AMENDING SECTIONS 90-4-104, 90-4-109, AND 90-4-111, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 53, 106, 109, 110, **111, 113,** 168, **170, 172,** 201, 208, 209, 215.

SENATE PAGE NO. 61, 70, 112, **121, 124,** 138.

40 INTRODUCED BY COBB, GOULD, J. BROWN, KEENAN, WINSLOW, O'HARA, HANNAH, NEILL, HARPER, JACOBSON, NEUMAN, MERCER: A BILL FOR AN ACT ENTITLED: "AN ACT TO IDENTIFY AND CONSOLIDATE DUPLICATIVE SERVICES PROVIDED BY THE DEPARTMENTS OF SOCIAL AND REHABILITATION SERVICES, HEALTH AND ENVIRONMENTAL SCIENCES, LABOR AND INDUSTRY, AND INSTITUTIONS; TO PROVIDE FOR A SURVEY OF EMPLOYEES TO IDENTIFY DUPLICATIVE SERVICES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 67, 128, 130, **136, 144,** 168, 201, 215, 227.

SENATE PAGE NO. 103, 104, 105, 112, **119, 122, 166.**

41 INTRODUCED BY J.K. MOORE, BOYLAN, GOODOVER, THAYER, SPAETH, NATHE, MILLER, WINSLOW, REHBERG, LORY, MANUEL, PINSONEAULT, GAGE, AKLESTAD, HAMMOND: A BILL FOR AN ACT ENTITLED: "AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE XII, SECTION 3, OF THE MONTANA CONSTITUTION TO ALLOW THE LEGISLATURE GREATER DISCRETION IN PROVIDING ECONOMIC ASSISTANCE AND SOCIAL AND REHABILITATIVE SERVICES TO THOSE IN NEED; AND PROVIDING AN EFFECTIVE DATE."

HOUSE PAGE NO. 67, 122, 125, 131, **151, 155.**

SENATE PAGE NO. 109.

42 INTRODUCED BY LORY, ADDY, HARPER: A BILL FOR AN ACT ENTITLED: "AN ACT GRANTING 5 DAYS OF LEAVE WITH PAY TO CERTAIN STATE EMPLOYEES WHOSE FISCAL YEAR 1987 COMPENSATION AND EMPLOYER CONTRIBUTION FOR GROUP BENEFITS CONTINUE AT 1986 LEVELS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 69.

43 INTRODUCED BY COBB: A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING CERTAIN MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO BECOME ELIGIBLE FOR SERVICE RETIREMENT; DEFINING THE AMOUNT OF SERVICE RETIREMENT ALLOWANCE FOR THESE MEMBERS; INCREASING THE EMPLOYER CONTRIBUTION RATE; REQUIRING A STATE AGENCY TO REVERT A CERTAIN AMOUNT TO THE STATE GENERAL FUND FOR EACH MEMBER WHO RETIRES PURSUANT TO THIS ACT; AMENDING SECTIONS 19-3-801, 19-3-901 THROUGH 19-3-904, AND 19-3-1002, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 69.

44 INTRODUCED BY KEENAN, TOWE, HAGER, RAMIREZ, M. WILLIAMS (BY REQUEST OF THE REVENUE OVERSIGHT COMMITTEE): A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE PROCEDURES FOR THE PAYMENT OF A MONTANA TAX OR LICENSE FEE UNDER PROTEST; REVISING THE PROCEDURES FOR THE FIXING OF TAX LEVIES AS AFFECTED BY TAX PROTESTS; AMENDING SECTIONS 7-6-2321, 7-6-4232, 7-6-4453, 15-1-402, 15-10-202, AND 20-9-142, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 84, 173, 188, **189, 191,** 216, 222, 226, 227.

SENATE PAGE NO. 139, 141, 149, **150, 159, 162.**

45 INTRODUCED BY QUILICI, LORY, HAFFEY, HARP, GAGE, MANNING (BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION): A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR FUNDING THE DEPARTMENT OF PUBLIC SERVICE REGULATION BY FEES LEVIED ON REGULATED COMPANIES; PROVIDING FOR LEGISLATIVE REVIEW AND A REPORT TO EACH LEGISLATURE; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

HOUSE PAGE NO. 84, 130, 131, **152, 155,** 168, **170,** 175, 187, 197, 198, **203, 205,** 208, 215, 227.

SENATE PAGE NO. 109, 110, 112, **119, 122,** 129, 130, 140, **142, 143,** 152, 166.

46 INTRODUCED BY WINSLOW, HAFFEY (BY REQUEST OF THE LEGISLATIVE FINANCE COMMITTEE): A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE LEGISLATIVE FISCAL ANALYST TO INVESTIGATE AND EXAMINE REVENUES OF STATE GOVERNMENT ACTIVITIES; PROVIDING THAT THE FISCAL ANALYST'S OFFICE MAY OBTAIN COPIES OF STATE AGENCY RECORDS THAT IT IS AUTHORIZED TO EXAMINE; CLARIFYING THAT THE LEGISLATIVE FISCAL ANALYST'S OFFICE MAY NOT DISCLOSE INFORMATION OBTAINED IN ITS INVESTIGATIONS WHEN PUBLICATION IS PROHIBITED BY LAW; AMENDING SECTION 5-12-303, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 89, 121, 125, **137, 144,** 200, **204, 206,** 208, 215, 227.

SENATE PAGE NO. 103, 104, 139, **142, 144,** 152, 166.

47 INTRODUCED BY JENKINS, ECK, KOLSTAD, IVERSON, GILBERT, HARPER, PECK, COHEN, KEENAN, D. BROWN, MANUEL, WINSLOW, MCCORMICK, DRISCOLL, BACHINI, SALES, HARP, SPAETH, BARDANOUVE, COBB, COMPTON, HAFFEY, B. WILLIAMS, BOYLAN, MANNING, HIRSCH, SCHYE, SHAW, GAGE, HARDING, AKLESTAD, WEEDING, LYNCH, MONTAYNE, E. SMITH, STEPHENS, CRIPPEN, DANIELS, TVEIT, VAN VALKENBURG, PINSONEAULT, MCCALLUM, THAYER, GALT, HAMMOND, NEUMAN, MERCER, JACOBSON, STIMATZ, PATTERSON, HANNAH, O'CONNELL, PAVLOVICH, ABRAMS, GLASER, RAMIREZ, MARKS, FRITZ, SANDS, PISTORIA, NELSON, HARBIN, M. WILLIAMS, J. MOORE, ERNST: A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE VOLUNTARY THE RECORDING OF MATERIAL SAFETY DATA SHEETS BY EMPLOYERS AND TO REVISE THE INFORMATION REQUIREMENTS OF THE WORKPLACE CHEMICAL LIST; AMENDING SECTIONS 50-78-202 AND 50-78-301, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 90, 115, 117, **119, 121,** 168, 192, 201, 227.

SENATE PAGE NO. 79, 105, **111, 113,** 149.

48 INTRODUCED BY GRADY, MILES, GOULD, KRUEGER, THOFT, FULLER, J. BROWN, JACOBSON, KEATING, DANIELS: A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THAT A BLIND PERSON BE GIVEN PREFERENCE IN THE AWARD OF SERVICE CONTRACTS FOR VENDING FACILITIES ON STATE PROPERTY WHEN A BLIND PERSON AND ANOTHER BIDDER HAVE SUBMITTED SUBSTANTIALLY EQUAL PROPOSALS AND THOSE PROPOSALS ARE THE MOST HIGHLY RATED BY THE CONTRACTING AGENCY; TO PROVIDE RULEMAKING AUTHORITY TO THE DEPARTMENT OF ADMINISTRATION; REPEALING SECTIONS 18-5-401 THROUGH 18-5-406 AND 18-5-411 THROUGH 18-5-416, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 114, 122, 125, **137, 145,** 168, 208, 215, 228.
SENATE PAGE NO. 103, 104, 112, **120, 123,** 166.

49 INTRODUCED BY HANNAH, KEATING, TVEIT, J.K. MOORE, O'HARA, GILBERT, KITSELMAN, SIMON, RAMIREZ, GALT, PISTORIA, MONTAYNE, O'CONNELL, HAMMOND, THAYER, CRIPPEN, STEPHENS, GARCIA: A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING THE AMENDMENT OF RULE 16.8.820, ADMINISTRATIVE RULES OF MONTANA, TO MAINTAIN EXISTING AIR QUALITY THROUGH ADOPTION OF THE FEDERAL ANNUAL AVERAGE STANDARD FOR AMBIENT AIR QUALITY FOR SULFUR DIOXIDE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

HOUSE PAGE NO. 117, 167, **173, 183, 184,** 188.
SENATE PAGE NO. 133.

50 INTRODUCED BY PAVLOVICH, DRISCOLL, GARCIA, QUILICI, RAPP-SVRCEK, PETERSON, MONTAYNE, JONES, GOULD, ELLISON, HARRINGTON, MENAHAN, NISBET, C. SMITH, MCCORMICK, SCHYE, BACHINI, O'CONNELL, POFF, PISTORIA, KEENAN, CODY: A BILL FOR AN ACT ENTITLED: "AN ACT PREVENTING THE CLOSURE OF LIQUOR STORES OPERATED BY THE DEPARTMENT OF REVENUE UNLESS A STORE IS NOT OPERATING AT A PROFIT OR SUCH CLOSURE HAS BEEN APPROVED BY THE LEGISLATURE BY JOINT RESOLUTION; PREVENTING THE CONVERSION OF A STATE LIQUOR STORE TO AN AGENCY STORE UNLESS SUCH CONVERSION HAS BEEN APPROVED BY THE LEGISLATURE BY JOINT RESOLUTION; AMENDING SECTION 16-2-101, MCA, AND SECTIONS 2 AND 5, CHAPTER 2, SPECIAL LAWS OF MARCH 1986; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, A TERMINATION DATE, AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 148, 160, 165, **166.**

51 INTRODUCED BY MERCER, MANUEL, B. BROWN, BOYLAN: A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING THE DEADLINES FOR SUBMISSION AND CERTIFICATION OF SIGNATURES FOR THE INITIATIVE PROCESS;

AMENDING SECTIONS 13-27-104, 13-27-301, 13-27-403, 13-27-406, AND 13-27-407, MCA; AND PROVIDING EFFECTIVE DATES, RETROACTIVE APPLICABILITY, AND A TERMINATION DATE."

HOUSE PAGE NO. 148, 149, **153, 156,** 157.

SENATE PAGE NO. 109.

52 INTRODUCED BY J. MOORE, SALES, COHEN, J.K. MOORE, CODY, GARCIA, PETERSON, CONNELLY, O'HARA, HOWE, VELEBER, HANSEN, KADAS, SPAETH, MILLER, DARKO, RAPP-SVRCEK, RANEY, SCHYE, NISBET, KOEHNKE, FRITZ, LORY, EUDAILY: A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE TAX ON TOBACCO PRODUCTS OTHER THAN CIGARETTES AND ALLOCATING ALL THE REVENUE TO STATE AID TO EDUCATION; AMENDING SECTIONS 16-11-202, 16-11-206, 17-5-408, AND 20-9-343, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

HOUSE PAGE NO. 165, 192, 193, **194,** 200, **205.**

53 INTRODUCED BY ELLERD, TOWE: A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE VIDEO DRAW POKER MACHINE CONTROL LAW BY REDUCING THE STATE LICENSE FEE TO $45 PER MACHINE; IMPOSING A VIDEO DRAW POKER MACHINE NET INCOME TAX OF 30 PERCENT; PROVIDING FOR DISTRIBUTION AND APPROPRIATION OF REVENUE; AMENDING SECTIONS 17-7-502, 23-5-602, 23-5-605, AND 23-5-612, MCA; REPEALING SECTION 13, CHAPTER 720, LAWS OF 1985; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND A RETROACTIVE APPLICABILITY DATE."

HOUSE PAGE NO. 214, 216, 219, **220, 221.**

SENATE PAGE NO. 170, 171.

HOUSE JOINT RESOLUTIONS AS INTRODUCED

Boldface figures refer to roll calls

1 INTRODUCED BY HARP: A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ESTABLISHING AN ESTIMATE OF THE STATE'S ANTICIPATED REVENUE FOR EACH YEAR OF THE 1986-87 BIENNIUM FOR THE PURPOSE OF ACHIEVING A BALANCED BUDGET AS MANDATED BY ARTICLE VIII, SECTION 9, OF THE MONTANA CONSTITUTION; ACCEPTING A JUNE 30, 1985, GENERAL FUND BALANCE THAT WAS ESTABLISHED BASED ON GENERALLY ACCEPTED ACCOUNTING PRINCIPLES; ESTABLISHING AN ESTIMATE OF THE NONGENERAL FUND REVENUES FOR THE SCHOOL FOUNDATION PROGRAM; AND ACCEPTING A JUNE 30, 1985, FOUNDATION PROGRAM FUND BALANCE.

HOUSE PAGE NO. 13, 14, **53, 57.**

SENATE PAGE NO. 29, 34.

2 INTRODUCED BY CONNELLY: A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF THE STATE WORKERS' COMPENSATION INSURANCE SYSTEM; AND REQUIRING A REPORT TO THE 50TH LEGISLATURE.

HOUSE PAGE NO. 84, 107, 114, 115, 117, 131.

3 INTRODUCED BY THOMAS, SEVERSON: A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA HONORING MARTHA ANN BURKE AS NATIONAL MOTHER OF THE YEAR.

HOUSE PAGE NO. 90, 109, 123, **138, 145,** 168, 201, 215.

SENATE PAGE NO. 103, 104, 112, **120, 123,** 166.

HOUSE RESOLUTIONS AS INTRODUCED

Boldface figures refer to roll calls

1 INTRODUCED BY HARP: A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA TO AMEND HOUSE RULE H3-5 TO CHANGE THE APPOINTING AUTHORITY AND TO SPECIFY A NUMBER OF MEMBERS FOR THE REVENUE ESTIMATION SUBCOMMITTEE.

HOUSE PAGE NO. 84.

SENATE JOURNAL

OF

SPECIAL SESSION III

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MONTANA

FIRST LEGISLATIVE DAY

Helena, Montana
June 16, 1986

Senate Chambers
State Capitol

Senate convened at 10:05 a.m., President Norman presiding. Invocation by the Chaplain, Father Noonan. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

A quorum being present, President Norman declared that the Senate of the 49th Legislature, Special Session III, was ready for business.

SPECIAL ORDERS OF THE DAY

Sergeant-at-Arms Erving escorted Mayor Russ Ritter of Helena and a delegation from the U.S. Navy to the well of the Senate.

President Norman introduced Admiral and Mrs. James Busey and his official party. The Admiral gave a brief speech on the role of today's Navy.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 1.

COMMUNICATIONS AND PETITIONS

The President requested that Secretary Wallem read the following proclamation:

STATE OF MONTANA
PROCLAMATION

CALL TO THE 49TH LEGISLATURE
FOR A SPECIAL SESSION

WHEREAS, Article V, Section 6, of the Constitution of the State of Montana provides that the Legislature may be convened in special sessions by the Governor; and

WHEREAS, Article VI, Section 11, of the Constitution of the State of Montana also provides that whenever the Governor considers it in the public interest, he may convene the Legislature; and

WHEREAS, Section 5-3-101, MCA, specifically provides that the Legislature may be convened in special session by the Governor; and

WHEREAS, state revenues have declined significantly in the past year due to lower prices for oil, coal, and agricultural products, declining interest rates, and the 1985 drought; and

WHEREAS, despite the budget reductions recommended by the Governor to the 1985 regular session and the 2% appropriation reduction ordered by the Governor in fiscal year 1986, the current economic projection for fiscal year 1987 indicates a budget deficit; and

WHEREAS, it is the responsibility of the Governor to recommend a solution to balance the budget and the responsibility of the Legislature to make the policy choices for program modifications for the State of Montana; and

WHEREAS, it is necessary to modify spending authorization for state agencies in response to declining state revenue; and

WHEREAS, various statutes must be amended in order to reflect necessary program, accounting, and allocation changes resulting from budget modifications; and

WHEREAS, a special session called for the purpose of considering all agency appropriations and state programs is in the public interest of all Montanans.

NOW, THEREFORE, I, TED SCHWINDEN, Governor of the State of Montana, pursuant to the authority vested in me by the Constitution and laws of the State of Montana do hereby call the Forty-Ninth Legislature into Special Session in Helena, at the Capitol, at the hour of 10:00 A.M., the 16th day of June, 1986, and hereby direct the Special Session of the Forty-Ninth Legislature to consider action on the following:

1. Appropriations to state and local government agencies and programs; and legislation implementing program changes, allocation of revenue, accounting procedures and budget modifications for state and local government agencies.

2. Legislation to increase the tax on gasoline and diesel fuel.

3. Legislation to establish a tax on regulated utilities to fund the Public Service Commission.

Dated this 30th day of May, 1986.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the GREAT SEAL
OF THE STATE OF MONTANA to be affixed.
DONE at the City of Helena, the Capitol,
this 30th day of May, in the
year of our LORD, one thousand nine
hundred and eighty-six.

TED SCHWINDEN
Governor of Montana

ATTEST:

JIM WALTERMIRE
Secretary of State

MOTIONS

Senator Van Valkenburg moved that the accredited members of the press, radio and television be granted the privilege of the Senate floor subject to the rules. Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 1, introduced by Mazurek. Referred to Committee on Local Government.
SB 2, introduced by Himsl, (By Request of the Department of Administration). Referred to Committee on State Administration.
SB 3, introduced by Himsl, (By Request of the Department of Administration). Referred to Committee on Taxation.
SB 4, introduced by Goodover. Referred to Committee on Taxation.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 3:00 p.m. Motion carried unanimously.

Senate recessed at 10:30 a.m.

Senate reconvened at 3:02 p.m.

Senator Van Valkenburg moved that the officers, organization, rules, joint rules, orders of business and all standing committees of the 49th Legislature be made the officers, organization, rules, joint rules, orders of business and standing committees of the Special Session III of the 49th Legislature, with the exception of joint rules 3-7, 6-7, 6-8, 6-19, 6-20, 6-29, and 6-34, with the suspension of rule 6-8 to be limited to the first paragraph, and Senate Rule 7-3. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Shaw.
Total 1

Excused: None.
Total 0

Absent or not voting: Boylan, Hager, Lane, Smith, Tveit.
Total 5

Senator Van Valkenburg moved that all bill drafting requests germane to the call of the Governor be submitted by 5:00 p.m. of the third legislative day and that said bills be introduced by 5:00 p.m. of the fourth legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Boylan, Hager, Lane, Smith, Tveit.
Total 5

Senator Van Valkenburg moved that the sole procedure for expanding the Governor's call while the Legislature is in session be limited to a written petition of the majority of the legislative members. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Neuman.
Total 1

Excused: None.
Total 0

Absent or not voting: Boylan, Lane, Smith, Tveit.
Total 4

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman): 6/16/86

Recommend that the following attaches be hired by the Senate for the 49th Legislature, Special Session III:

Elaine Graveley.....Secretary to Secretary of Senate
Sidney Armstrong.....Assistant Secretary of Senate
Margaret Regan.....Assistant Sergeant at Arms
John Bulger.....Assistant Sergeant at Arms
Bobby Murphy.....Secretary to President
Kelly Jean Beard.....Secretary to Majority Leader
Phil Sherman.....Secretary to Majority Whip
Barbara Simic.....Secretary to Minority Leader
Rosemary Jacoby.....Secretary to Minority Whip
Janean Meacham.....Chief Stenographer
Rose Munger.....Journal Clerk
Kathleen Ely.....Assistant Journal Clerk
Joan Duncan.....Bills Clerk
Barbara Griffith.....Assistant Bills Clerk
Mike Menahan.....Bills Coordinator
Shaun Egan.....Assistant Bills Coordinator
Kathy Bramer Ames.....Amendments Coordinator
Jon Campbell.....Supply Clerk
Hal Stearns.....Security/Doorman
Dennis Small.....Security/Doorman
Sylvia Kinsey.....Committee Secretary
Rita Tenneson.....Committee Secretary
Agnes Hamilton.....Committee Secretary
Nancy Aagenes.....Committee Secretary
Louise Fulbright.....Committee Secretary
Jewell Lee.....Steno Aide
Kirsten Barrett.....Typist
Cindy Jeske.....Bills Distribution
Laurel Smith.....Page
Keith Kelly.....Page
Ronda Harmon.....Page
Cyndie Simic.....Page
Michael Andrews.....Page
Lisa Strope.....Page
Jolinda McGarvey.....Page
Buffi Klempel.....Page

Report adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

Announcements were made.

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., June 17, 1986.

Motion carried.

Senate adjourned at 3:14 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SECOND LEGISLATIVE DAY

Helena, Montana
June 17, 1986

Senate Chambers
State Capitol

Senate convened at 10:08 a.m., President Norman presiding. Invocation by Senator Mazurek. Pledge of Allegiance to the Flag.

Roll call. All members present except Haffey, excused. Quorum present.

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 83 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 16th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 16th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the Forty-Ninth Legislature meeting in regular session made substantial revisions to Montana's "Greenbelt Laws" by the adoption of Senate Bill No. 431; and

WHEREAS, those revisions have resulted in the reclassification of historically agricultural lands and timber lands as various types of residential lands; and

WHEREAS, due to Montana's sanitation and subdivision laws much of the land reclassified as residential cannot lawfully be subdivided or developed as residential; and

WHEREAS, the public affected by the changes to the Greenbelt Laws has not had adequate time to react to the changes; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation revising Montana's Greenbelt Laws to:

(1) allow agricultural classification if:

(a) subdivision of the land would be illegal under Montana's subdivision laws, or

(b) the land is at least 20 contiguous acres; and

(2) postpone implementing any reclassification until the persons affected have had time to react to the changes.

Members of the 49th Legislature:

Swift
Kitselman
Hannah
Wallin
O'Hara
Phillips
Eudaily
Neill
Brandewie
Marks
Thomas
Jenkins
Switzer
Jones
Keller
Driscoll
Cobb
J.K. Moore
Sands
Nisbet
Krueger
Menahan
D. Brown
McCormick
Bachini
Darko
O'Connell
Ream
Hansen
Pistoria
Connelly
Veleber
McCallum
Farrell
Severson
E. Smith
Gage
Haffey
Hammond
Keyser
Lory
Mercer
Winslow
Nelson
Peterson
Glaser
Campbell
Rehberg
Ramirez
Nathe
Compton
C. Smith
Asay
Donaldson
Miller
Gilbert
Sales
Anderson
Cody
Quilici
Pavlovich
J. Moore
Stang
Zabrocki
Miles
Cohen
Garcia
Kennerly
Harbin
Raney
Harrington
Galt
Shaw
Goodover
Stephens
Bengtson
Hirsch
Mohar

Weeding
B. Brown
Himsl
Crippen
Harding

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 3:00 p.m. Motion carried unanimously.

Senate recessed at 10:14 a.m.

Senate reconvened at 3:01 p.m.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 5, introduced by Williams. Referred to Committee on Education and Cultural Resources.

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., June 18, 1986.

Motion carried.

Senate adjourned at 3:06 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRD LEGISLATIVE DAY

Helena, Montana
June 18, 1986

Senate Chambers
State Capitol

Senate convened at 10:02 a.m., President Norman presiding. Invocation by the Chaplain, Father Noonan. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the first legislative day, find the same to be correct.

Manning, Chairman

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 79 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 18th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 18th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, on January 16, 1986, the Supreme Court of the State of Montana held that statutes which restrict or deny economic assistance benefits based upon age are unconstitutional; and

WHEREAS, that opinion and an increase in the number of recipients receiving economic assistance has resulted in substantial additional expense in meeting the state's economic assistance obligations; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section

6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation to propose amendments to the Montana Constitution on economic assistance and social and rehabilitative services.

Members of the 49th Legislature:

J.K. Moore
Swift
Switzer
Hannah
Keller
Spaeth
Peck
Pistoria
Lory
Jenkins
Abrams
Nathe
Aklestad
E. Smith
Pinsoneault
McCallum
Marks
O'Hara
Kitselman
Gould
Koehnke
Thoft
J. Moore
Hand
B. Brown
Hammond
Peterson
Schultz
Ellison
Hayne
Winslow
Brandewie
Mohar
Anderson
Goodover
Severson
Keating
Tveit
Keyser
C. Smith
Miller
Wallin
Phillips
Eudaily
Manuel
Connelly
Gilbert
Rehberg
Thomas
Cobb
Cody
Donaldson
Mercer
Ramirez
Christiaens
Nelson
Compton
Simon
Neill
Sales
Farrell
Glaser
O'Connell
Hager
Ernst
Hirsch
Neuman
Lane
Harding
Gage
Boylan
Kolstad
Thayer
Crippen
Shaw
Stephens
Devlin
Hanson
Sands

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman) 6/18/86
SB 3, do pass. Report adopted.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 6, introduced by Regan, Lynch. Referred to the Committee on Taxation.

SB 7, introduced by Van Valkenburg, (By Request of the Office of Budget and Program Planning). Referred to the Committee on Judiciary.

Senator Van Valkenburg moved that the Senate recess until 3:00 p.m. Motion carried unanimously.

Senate recessed at 10:10 a.m.

Senate reconvened at 3:02 p.m.

REPORTS OF STANDING COMMITTEES

LOCAL GOVERNMENT (Fuller, Chairman) 6/18/86
SB 1, do pass. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman) 6/18/86
SB 2, do pass. Report adopted.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 8, introduced by McCallum. Referred to the Committee on Education.

SB 9, introduced by Van Valkenburg, Stephens, Peck, McCallum, Harp, Donaldson, Ramirez, Bardanouve, Harper, Sands, Mohar. Referred to the Committee on Education.

SB 10, introduced by Towe, Bengtson, Regan, Blaylock, Eck, Himsl, Lynch, Hager, Haffey, Mohar, Hirsch, McCallum, Norman, B. Brown, Severson. Referred to the Committee on Education.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Christiaens in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 1 - That SB 1 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 2 - That SB 2 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 3 - That SB 3 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Christiaens moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 1 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Stimatz.
Total 1

Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

SB 2 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

SB 3 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., June 19, 1986.

Motion carried.

Senate adjourned at 3:28 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FOURTH LEGISLATIVE DAY

Helena, Montana
June 19, 1986

Senate Chambers
State Capitol

Senate convened at 10:04 a.m., President Norman presiding. Invocation by Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Daniels, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the second legislative day, find the same to be correct.

Manning, Chairman

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 11, introduced by Fuller, Donaldson, Lynch, Mazurek, Haffey, Christiaens, Campbell, Eck, Menahan, Grady, Driscoll, O'Connell, B. Brown, Hart, Pinsoneault, Montayne, Nelson, Harrington, Miller, B. Williams, Stimatz, Halligan, Jacobson, Manning. Referred to the Committee on State Administration.

SB 12, introduced by Christiaens, Ernst, (By Request of the Office of Budget and Program Planning). Referred to the Committee on Taxation.

SB 13, introduced by Fuller, (By Request of the Office of Budget and Program Planning). Referred to the Committee on Taxation.

SB 14, introduced by Neuman, McCallum, Harp, Spaeth, Mazurek, Driscoll, Brandewie, Eck, Blaylock, Mohar, Lybeck, Grady, Peterson, Bardanouve, Yellowtail, M. Williams, Lory, Himsl, B. Brown, Haffey, (By Request of the Department of Highways). Referred to the Committee on Taxation.

SB 15, introduced by Neuman, Halligan, Cobb. Referred to the Committee on Education.

Senator Van Valkenburg moved that the Senate recess until 5:15 p.m. Motion carried unanimously.

Senate recessed at 10:16 a.m.

Senate reconvened at 5:16 p.m.

Senator Daniels present at this time.

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 77 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 19th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 19th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, Martha Burke, has been selected as State and National Mother of the Year and we want to commend her upon her visit to the Legislature; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider a joint resolution commending Martha Burke as Mother of the Year.

Members of the 49th Legislature:

Thomas
Ellerd
O'Hara
Keyser
Ramirez
McCallum
Keating
Hirsch
Jacobson
Norman
Hager
Swift
Eudaily
Nathe
Hanson
Switzer
Compton
Kitselman
Nelson
Story
Miller
Glaser
Neill
Severson
Farrell
Gage
Himsl
Harding
Pinsoneault
Lane
Boylan
Van Valkenburg
Halligan
Tveit
Lory
Schultz
Jenkins
Sales
Gilbert
Phillips
Grady
Keller
Patterson
Donaldson
Simon
Asay

Brandewie
Sands
Rehberg
Winslow
Thoft
Gould
Wallin
Hayne
Cobb
Keenan
Kolstad
Stang
Garcia
Zabrocki
Lynch
Bradley
Ernst
Hannah
Peterson
Marks
Mercer
Iverson
Hand
Krueger
Abrams
Spaeth
Menahan
O'Connell
Pavlovich
Harrington
Campbell

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence: 6/19/86

HB 3, introduced by Ellerd

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 16, introduced by Lynch, Kolstad, Menahan, O'Hara, Stimatz, Harding, Harrington, Pavlovich, Keating, Patterson, Hand. Referred to Committee on Taxation.

SB 17, introduced by Eck. Referred to Committee on Taxation.

SB 18, introduced by Boylan, Wallin, Hanson, Thoft, Ellison, Daniels, Shaw, C. Smith, Keating, Tveit, Schultz, Nathe, Phillips, Patterson, Switzer, Story, B. Williams, Himsl, E. Smith. Referred to Committee on State Administration.

SB 19, introduced by Christiaens, Rapp-Svrcek, Ramirez, O'Hara, Goodover, Crippen, Swift, McCallum, Severson, Thayer. Referred to Committee on Taxation.

SB 20, introduced by McCallum, Swift, Rapp-Svrcek, Keating, O'Hara, Cobb, Farrell, Brandewie, Phillips, Connelly, Nathe, Patterson, Driscoll, Glaser, Ramirez, Severson, Christiaens, Boylan, Marks, Norman. Referred to Committee on Taxation.

The following House bill was introduced, read first time, and referred to committee:

HB 3, introduced by Ellerd. Referred to the Committee on State Administration.

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., June 20, 1986.

Motion carried.

Senate adjourned at 5:23 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FIFTH LEGISLATIVE DAY

Helena, Montana
June 20, 1986

Senate Chambers
State Capitol

Senate convened at 10:02 a.m., President Norman presiding. Invocation by Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the third legislative day, find the same to be correct.

Manning, Chairman

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 78 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 20th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 20th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, various groups have studied the Workers' Compensation system in Montana but they have been making conflicting recommendations; and

WHEREAS, revision of the Workers' Compensation Act is going to be a Legislative responsibility in the near future; and

WHEREAS, the Legislature itself should study the issues involved and be prepared to discuss legislation during the regular session beginning January 1987; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation to study the Montana Workers' Compensation system by an appropriate interim committee of the Legislature and to provide appropriate funding for such a study.

Members of the 49th Legislature:

Pistoria	Connelly
Garcia	Addy
Hansen	Spaeth
Rehberg	Lory
Quilici	Driscoll
Manuel	Harp
Brandewie	Kadas
Peck	Hart
Bachini	Pavlovich
McCormick	Koehnke
Kennerly	Bradley
Ream	Keenan
Miles	Krueger
Kitselman	J. Moore
Nisbet	Schye
Darko	Raney
Harbin	Jones
C. Smith	Peterson
Ellison	Hayne
Wallin	Keller
Harrington	Cohen
O'Connell	Howe
Montayne	Cody
Veleber	Poff
Stang	Rapp-Svrcek
M. Williams	Menahan
J.K. Moore	Daniels
Swift	Glaser
Boylan	Hanson
Thoft	Schultz
Gilbert	Hannah
Cobb	Neill
Donaldson	O'Hara
Severson	D. Brown
Winslow	Hirsch
Lybeck	Weeding
Pinsoneault	Manning
Blaylock	Conover
B. Brown	Harding

Senator Van Valkenburg moved that the Senate recess until 3:00 p.m. Motion carried unanimously.

Senate recessed at 10:09 a.m.

Senate reconvened at 3:03 p.m.

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 77 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 20th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 20th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the Board of Regents of Higher Education is conducting studies on the long-term direction of higher educational institutions within the State of Montana; and

WHEREAS, these studies appear to be both appropriate and timely given the economic conditions of the State; and

WHEREAS, it would be appropriate for the products of such studies to be available to the 50th Legislature; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider a joint resolution requesting the Board of Regents to prepare a report for the 50th Legislature on the long-term direction of higher education institutions.

Members of the 49th Legislature:

Jacobson Towe

Stimatz
Eck
Haffey
Iverson
D. Brown
Lynch
Kadas
Hammond
Thayer
Anderson
Shaw
E. Smith
Gage
Keating
Stephens
Harding
J. Moore
Donaldson
Lory
Peck
M. Williams
O'Connell
Stang
Pavlovich
Veleber
Hansen
Bradley
Zabrocki
Kennerly
Harper
Hart
Miles
Halligan
Weeding
Mohar
Bengtson
Yellowtail
B. Williams
Christiaens
Daniels
Neuman
Quilici
Krueger
Keenan
Galt
Farrell
Severson
Driscoll
Simon
Cobb
Tveit
Hager
McCallum
Kolstad
Harrington
Eudaily
Boylan
Bachini
McCormick
Ream
Hand
J. Brown
Mercer
Connelly
Koehnke
Howe
Spaeth
Addy
Manuel
Montayne
Conover
Nisbet
Mazurek
Blaylock
Manning

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 78 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 20th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman,

President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 20th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE FOR A CALL OF SPECIAL SESSION

WHEREAS, in 1981 the State stopped the property taxation of light motor vehicles and substituted a graduated fee system based upon age and weight of the vehicle; and

WHEREAS, the fee system provides less revenue than the former property tax system to local governments thus requiring the state general fund to expend funds to make up some of this difference; and

WHEREAS, the fee system contains inequities because the fee structure relates to the weight and age of a vehicle resulting in equities between expensive light-weight vehicles used mainly for personal use by those who can afford a higher fee and inexpensive utilitarian heavy vehicles such as pickup trucks; and

WHEREAS, the fee system suffered from the effects of inflation and vehicle numbers since its inception because the formulas are not exactly responsive to vehicle distribution and the effects of inflation; and

WHEREAS, a flat two percent tax on the depreciated (present retail) value of light vehicles would generate greater revenues in a more equitable manner and would remain correct for years because revenues would adjust automatically because the system would be based on vehicle values; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation replacing the current schedule of light vehicle fees based upon age and weight with a percentage ad valorum tax based upon the depreciated value of the vehicle.

Members of the 49th Legislature:

E. Smith	Sales
Tveit	Gage
Zabrocki	Schye
Weeding	Kadas
Poff	Keenan
Hirsch	Jenkins
Cobb	Kitselman

Hammond
Hansen
Cody
Neill
Nisbet
Driscoll
Montayne
Donaldson
McCallum
Crippen
Stephens
Shaw
Fuller
Boylan
Ernst
Conover
Aklestad
Anderson
Mercer
B. Williams
Thoft
Grady
Harp
Campbell
Marks
Compton
Rehberg
Ellison
Hayne
Veleber
Stang
Peck
Switzer
Devlin
Darko
Menahan
Miles
Lory
J. Moore
Bradley
Severson
B. Brown
Spaeth
Keller
Ramirez
Nathe
Asay
Kolstad
Keating
Farrell
Galt
Pinsoneault
Glaser
Schultz
Hanson
Swift
Iverson
Gilbert
Nelson
Peterson
C. Smith
Jones
Ream
Van Valkenburg

REPORTS OF STANDING COMMITTEES

EDUCATION (Blaylock, Chairman) 6/20/86
SB 9, do pass. Report adopted.

JUDICIARY (Mazurek, Chairman) 6/20/86
SB 7, introduced bill, be amended as follows:

1. Title, line 9.
Following: "SECTIONS 7-4-2502"
Insert: ", 46-9-301,"

2. Page 2.
Following: line 17
Insert: "Section 2. Section 46-9-301, MCA, is amended to read:

"46-9-301. Determining the amount of bail. In all cases that bail is determined to be necessary, bail must be reasonable in amount and the amount shall be:

(1) sufficient to ensure the presence of the defendant in a pending criminal proceeding;

(2) sufficient to assure compliance with the conditions set forth in the bail;

(3) sufficient to protect any person from bodily injury;

(4) not oppressive;

(5) commensurate with the nature of the offense charged;

(6) considerate of the financial ability of the accused;

(7) considerate of the defendant's prior record;

(8) considerate of the length of time the defendant has resided in the community and of his ties to the community;

(9) considerate of the defendant's family relationships and ties; ~~and~~

(10) considerate of the defendant's employment status~~.~~; and

(11) sufficient to include the charge imposed in 46-18-236.""
Renumber: all subsequent sections

3. Page 3, line 1.
Following: "$10"
Strike: "in"
Insert: "for"
Following: "misdemeanor"
Strike: "case"
Insert: "charge"

4. Page 3, line 2.
Following: "levied"
Strike: "in"
Insert: "for"

5. Page 3, line 3.
Following: "felony"
Strike: "case"
Insert: "charge"

6. Page 3, line 9.
Following: "fine"
Insert: "and must be imposed in addition to any fine"

7. Page 3, lines 12 through 14.
Strike: subsection (4) in its entirety
Insert: "(4) When the payment of a fine is to be made in installments over a period of time, the charge imposed by this section must be collected from the first payment made and each subsequent payment as necessary if the first payment is not sufficient to cover the charge."

8. Page 3, line 24.
Following: "treasurer."
Insert: "If the court of original jurisdiction is a court within a consolidated city-county government within the meaning of Title 7, chapter 3, the charges collected under subsection (1) must be deposited with the finance officer or treasurer of the consolidated government."

9. Page 4, line 16.
Following: "attorneys"
Strike: remainder of line 16 through "attorneys," on line 17
Insert: "and"

10. Page 4, line 18.
Following: "salaries"
Insert: "in the office of the county attorney"

And, as amended, do pass. Report adopted.

Adverse Committee Report

EDUCATION (Blaylock, Chairman) 6/20/86

SB 5, do not pass. Adverse committee report adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Harding, Himsl, Jacobson, Lybeck, Lynch, Manning, Mazurek, Neuman, Regan, Severson, Towe, Van Valkenburg, Weeding.
Total 26

Noes: Boylan, Christiaens, Galt, Goodover, Hager, Halligan, Hammond, Hirsch, Keating, Kolstad, Lane, McCallum, Mohar, Pinsoneault, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Williams, Yellowtail, Mr. President.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Senator Boylan made a substitute motion that the Senate remain on Order of Business No. 6. Substitute motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Severson, Smith, Story, Thayer, Williams.
Total 25

Noes: Blaylock, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 24

Excused: None.
Total 0

Absent or not voting: Shaw.
Total 1

Senator Boylan moved that SB 18 be taken from the Committee on State Administration and that it be placed on second reading. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 29

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:27 p.m.

Senate reconvened at 4:19 p.m.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate: 6/20/86

SB 3, introduced by Himsl

House bills passed and transmitted to the Senate for concurrence: 6/20/86

HJR 1, introduced by Harp

HB 1, introduced by Vincent

HB 6, introduced by Donaldson

HB 15, introduced by Manuel

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 1, introduced by Vincent, Menahan. Referred to the Committee on Finance and Claims.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Williams moved that the Senate reconsider its action in adopting the adverse committee report on SB 5 this legislative day. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Conover, Crippen, Daniels, Eck, Fuller, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Mohar, Pinsoneault, Shaw, Stephens, Story, Thayer, Tveit, Weeding, Williams, Mr. President.
Total 31

Noes: Blaylock, Brown, Christiaens, Farrell, Gage, Haffey, Jacobson, Lybeck, Lynch, Manning, Mazurek, Neuman, Regan, Severson, Stimatz, Towe, Yellowtail.
Total 17

Excused: None.
Total 0

Absent or not voting: Smith, Van Valkenburg.
Total 2

Senator Towe moved that SB 16, as amended, be taken from the Committee on Taxation and that it be referred to the Committee on Rules. Motion failed as follows:

Ayes: Blaylock, Brown, Christiaens, Crippen, Eck, Halligan, Himsl, Hirsch, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Regan,

Severson, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 22

Noes: Aklestad, Anderson, Bengtson, Boylan, Conover, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Jacobson, Keating, Kolstad, Lynch, Pinsoneault, Shaw, Stephens, Stimatz, Story, Thayer, Tveit.
Total 26

Excused: None.
Total 0

Absent or not voting: McCallum, Smith.
Total 2

Senator Williams moved that SB 5 be placed on second reading. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Kolstad in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 9 - That SB 9 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Fuller, Galt, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.
Total 29

Noes: Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Haffey, Halligan, Harding, Jacobson, Kolstad, Lynch, Manning, Regan, Severson, Shaw, Tveit, Yellowtail.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Kolstad moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 9 passed as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Fuller, Galt, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Mr. President.

Total 29

Noes: Bengtson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Haffey, Halligan, Harding, Jacobson, Kolstad, Lynch, Manning, Regan, Severson, Shaw, Tveit, Yellowtail.
Total 21

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Haffey, Chairman) 6/20/86
SB 11, do pass. Report adopted.

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., June 21, 1986.

Motion carried.

Senate adjourned at 6:05 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SIXTH LEGISLATIVE DAY

Helena, Montana
June 21, 1986

Senate Chambers
State Capitol

Senate convened at 10:02 a.m., President Norman presiding. Invocation by Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the fourth legislative day, find the same to be correct.

Manning, Chairman

MOTIONS

Senator Van Valkenburg moved that the Senate adopt a special joint rule for this special session as follows:

"The following deadlines apply with respect to all bills that may be requested for drafting or introduction pursuant to any call for a special session to be held concurrently with that of the call of the Governor dated May 30, 1986:

Drafting requests: By 5:00 p.m. the next legislative day following reading of the call for a concurrent session by the Chief Clerk of the House or Secretary of the Senate.

Introduction: By 5:00 p.m. the second legislative day following reading of the call for a concurrent session by the Chief Clerk of the House or Secretary of the Senate.

This rule is effective and applies to all calls for concurrent special sessions upon adoption of this rule."

Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Story.
Total 1

Senator Van Valkenburg moved that the Senate adopt a special joint rule for this special session as follows:

"The Joint Rules Committee shall have the authority to request the drafting of any bill within the scope of Special Session III of the 49th Legislature or any concurrent session and to introduce such bill at any time."

Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Towe.
Total 1

Excused: None.
Total 0

Absent or not voting: Hager, Story.
Total 2

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 6, introduced by Donaldson, (By Request of the Department of Institutions). Referred to the Committee on Finance and Claims.
HB 15, introduced by Manuel, (By Request of the Department of Fish, Wildlife, and Parks). Referred to the Committee on Finance and Claims.
HJR 1, introduced by Harp. Referred to the Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hirsch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 7 - That SB 7, second reading copy, be amended as follows:

1. Page 6, line 3.
Following: "ATTORNEY"
Insert: ", and any funds not needed for such salaries may be used for the payment of any other county salaries"

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

That SB 7, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Boylan, Farrell, Goodover, Harding, Kolstad, McCallum, Neuman, Shaw, Tveit.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 11 - Senator Fuller moved that consideration on SB 11 be passed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Hirsch moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 7 passed as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 42

Noes: Aklestad, Boylan, Goodover, Hammond, Harding, Kolstad, Neuman, Shaw.
Total 8

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Lynch moved that SB 16 be taken from the Committee on Taxation and that it be placed on second reading on the seventh legislative day. Motion carried as follows:

Ayes: Aklestad, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Neuman, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Mr. President.
Total 38

Noes: Anderson, Halligan, Himsl, Hirsch, Mazurek, Mohar, Pinsoneault, Regan, Severson, Van Valkenburg, Yellowtail.
Total 11

Excused: None.
Total 0

Absent or not voting: Blaylock.
Total 1

Senator Van Valkenburg moved that the Senate recess until 11:45 a.m. Motion carried unanimously.

Senate recessed at 11:03 a.m.

Senate reconvened at 11:51 a.m.

Senator Van Valkenburg moved that the Senate recess until 1:30 p.m. Motion carried unanimously.

Senate recessed at 11:52 a.m.

Senate reconvened at 1:32 p.m.

COMMUNICATIONS AND PETITIONS

STATE OF MONTANA
OFFICE OF THE GOVERNOR
PROCLAMATION

MESSAGE TO THE SPECIAL SESSION
OF THE FORTY-NINTH LEGISLATURE

WHEREAS, Article V, Section 6, of the Constitution of the State of Montana provides that the Legislature may be convened in special session by the Governor; and

WHEREAS, Article VI, Section 11, of the Constitution of the State of Montana also provides that whenever the Governor considers it in the public interest, he may convene the Legislature; and

WHEREAS, Section 5-3-101, MCA, specifically provides that the Legislature may be convened in special session by the Governor; and

WHEREAS, a call to the Forty-Ninth Legislature for a special session was proclaimed by me on May 30, 1986; and

WHEREAS, in 1951, the Legislature adopted a law requiring that blind persons receive a preference in leasing of vending stands in state-owned or controlled buildings; and

WHEREAS, in 1981, the Legislature repealed the above-referenced preference and in its place authorized the Department of Social and Rehabilitation Services to implement a blind vendor program under an agreement with the federal government pursuant to the Randolph-Sheppard Act; and

WHEREAS, the Department of Social and Rehabilitation Services operated a blind vendor program but has recently terminated that program; and

WHEREAS, termination of the blind vendor program removes the preference for blind persons in the selection of vendors in state-owned or controlled buildings; and

WHEREAS, adoption of preference for blind vendors over other equal qualified applicants would be consistent with state policy expressed in the previous preference statute and the blind vendor statute; and

WHEREAS, in 1985 the Legislature enacted the Employee and Community Hazardous Chemical Information Act, Title 50, Chapter 78, Part 1, MCA (hereinafter "the Act"); and

WHEREAS, the Act requires an employer to record with the county clerk and recorder material safety data sheets for chemicals used in the workplace; and

WHEREAS, an unanticipated volume and length of material safety data sheets has made the recording of those documents unduly costly to public and private employers; and

WHEREAS, making the recording of material safety data sheets voluntary would substantially reduce the amount of recording, and therefore the amount of fees necessary to comply with the Act; and

WHEREAS, reduced recording fees may increase compliance with the law and thus make hazardous chemical information more available within Montana communities; and

WHEREAS, the recording of workplace chemical lists, already required under the Act, would ensure that appropriate chemical information is available to emergency response personnel and the public if the workplace chemical list were required to include all information necessary for that purpose.

NOW, THEREFORE, I, TED SCHWINDEN, GOVERNOR OF THE STATE OF MONTANA, having called the Forty-Ninth Legislature into special session in Helena, at the Capitol, at the hour of 10:00 a.m., the 16th day of June, 1986, hereby direct the special session of the Forty-Ninth Legislature to also consider legislative action on the following subjects:

1. Adoption, in the leasing, licensing, or other authorization of vending stands in state-owned or controlled buildings, of a preference for blind applicants over any other applicant with substantially equal qualifications; and

2. Amendment of the Community Hazardous Chemical Information Act to make voluntary the recording of material data safety sheets and to modify the requirement for information on the workplace chemical list to provide all information necessary for response personnel and the public in case of emergency.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the GREAT SEAL OF THE STATE OF MONTANA to be affixed. DONE at the City of Helena, the Capital, this 20th day of June, in the year of our LORD, one thousand and nine hundred and eighty-six.

TED SCHWINDEN
Governor of Montana

ATTEST:

JIM WALTERMIRE
Secretary of State

REPORTS OF STANDING COMMITTEES

EDUCATION (Blaylock, Chairman) 6/21/86
SB 8, do pass. Report adopted.
SB 10, do pass. Report adopted.
SB 15, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for concurrence: 6/21/86

HB 30, introduced by Bardanouve.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hirsch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 8 - That SB 8 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.

Total 0

Absent or not voting: None.
Total 0

SB 10 - That SB 10 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 15 - That SB 15 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Keating.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Hirsch moved the adoption of the committee report. Report adopted.

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman) 6/21/86
HB 1, be concurred in. Report adopted.
HB 6, be concurred in. Report adopted.
HB 15, be concurred in. Report adopted.

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 30, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to the Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Hirsch in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 1 - That HB 1 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Harding, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Regan, Smith, Stephens, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Gage, Galt, Hager, Hammond, Himsl, Mohar, Neuman, Pinsoneault, Severson, Shaw, Story, Thayer, Weeding.
Total 14

Excused: None.
Total 0

Absent or not voting: Kolstad, Tveit.
Total 2

HB 6 - That HB 6 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 15 - That HB 15 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Hirsch moved the adoption of the committee report. Report adopted.

Senator Kolstad excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 8 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: Eck, Tveit.
Total 2

SB 10 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: Tveit.
Total 1

SB 15 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Keating.
Total 1

Excused: Kolstad.
Total 1

Absent or not voting: Tveit.
Total 1

HB 1 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Halligan, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Regan, Smith, Stephens, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 33

Noes: Aklestad, Boylan, Gage, Galt, Hager, Hammond, Himsl, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Story, Thayer, Weeding.
Total 16

Paired: Kolstad, Aye; Shaw, No.

Excused: None.
Total 0

Absent or not voting: Tveit.
Total 1

HB 6 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Kolstad.
Total 1

Absent or not voting: Tveit.
Total 1

HB 15 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Regan,

Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Van Valkenburg, Williams, Mr. President.
Total 42

Noes: Aklestad, Mohar, Neuman, Towe, Weeding, Yellowtail.
Total 6

Excused: Kolstad.
Total 1

Absent or not voting: Tveit.
Total 1

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., June 23, 1986.

Motion carried.

Senate adjourned at 2:28 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

SEVENTH LEGISLATIVE DAY

Helena, Montana
June 23, 1986

Senate Chambers
State Capitol

Senate convened at 10:05 a.m., President Norman presiding. Invocation by Father Jones. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

REPORTS OF STANDING COMMITTEES

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman) 6/23/86

Recommend that the following attaches be terminated by the Senate for the 49th Legislature, Special Session III, as of June 21, 1986:

Laurel Smith ..... Page
Keith Kelly ..... Page
Ronda Harmon ..... Page
Cyndie Simic ..... Page
Michael Andrews ..... Page
Lisa Strope ..... Page
Jolinda McGarvey ..... Page
Buffi Klempel ..... Page

Report adopted.

Recommend that the following attaches be hired by the Senate for the 49th Legislature, Special Session III:

Joe Wetzsteon ..... Page
Nathan Anderson ..... Page
Brett Stanley ..... Page
Melinda Wellman ..... Page
Tammy Trudeau ..... Page
Cory Wagner ..... Page
Scott Sager ..... Page
Tana Toren ..... Page

Report adopted.

STATE ADMINISTRATION (Haffey, Chairman) 6/23/86

HB 3, be concurred in. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Keating in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 5 - That SB 5, introduced bill, be amended as follows:

1. Title, line 4.
Strike: "FOUR"
Insert: "FIVE"

2. Page 1, line 20.
Following: "7"
Strike: "4"

Insert: "5"

Amendment carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Jacobson, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Gage, Galt, Goodover, Hammond, Himsl, Hirsch, Kolstad, Shaw, Thayer, Tveit.
Total 11

Excused: None.
Total 0

Absent or not voting: Boylan, Keating, Lynch, Smith, Story.
Total 5

That SB 5, as amended, do pass. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Conover, Eck, Galt, Goodover, Hager, Halligan, Hammond, Hirsch, Keating, Kolstad, Lane, McCallum, Pinsoneault, Severson, Shaw, Smith, Story, Thayer, Tveit, Weeding, Williams, Mr. President.
Total 25

Noes: Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Farrell, Fuller, Gage, Haffey, Harding, Himsl, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Stephens, Stimatz, Towe, Van Valkenburg, Yellowtail.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Lynch moved that SB 5 be indefinitely postponed. Motion failed as follows:

Ayes: Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Gage, Halligan, Harding, Himsl, Jacobson, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Stephens, Stimatz, Van Valkenburg, Yellowtail.
Total 24

Noes: Aklestad, Anderson, Bengtson, Boylan, Conover, Fuller, Galt, Goodover, Hager, Hammond, Hirsch, Keating, Kolstad, Lane, Mohar, Pinsoneault, Shaw, Smith, Story, Thayer, Towe, Tveit, Weeding, Williams, Mr. President.
Total 25

Excused: None.
Total 0

Absent or not voting: Haffey.
Total 1

SB 16 - That SB 16, introduced bill, be amended as follows:

1. Title, lines 6 and 7.

Following: "FOR" on line 6
Strike: "RETRANSFER UNDER CERTAIN CONDITIONS"
Insert: "TRANSFER OF THE GENERAL FUND BALANCE TO THE COAL SEVERANCE TAX PERMANENT FUND EACH FISCAL YEAR UNTIL REPAID"

2. Page 1, lines 15 through 17.
Following: "Transfer." on line 15
Strike: "Subject" on line 15 through "there" on line 17
Insert: "There"

3. Page 1, line 20.
Following: "Constitution"
Insert: "less amounts that may be required under 17-5-703(2) to pay principal and interest payments on bonds if the money flowing into the trust is insufficient to make the $39,000,000 transfer and pay principle and interest on bonds"

4. Page 1, line 21 through line 4, page 2.
Following: "Section 2."
Strike: section 2 in its entirety
Insert: "General fund balance transfer to coal severance tax permanent fund. The unreserved cash balance in the general fund at the end of each fiscal year shall be transferred to the coal severance tax permanent fund in 17-5-703(b) established under Article IX, section 5, of the Montana Constitution until the total amount so transferred equals the amount transferred to the general fund from the severance tax bond fund pursuant to [section 1]."

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Halligan, Regan.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 16, introduced bill, be further amended as follows:

1. Title, lines 6 and 7.
Strike: "THE" on line 6 through "CONDITIONS" on line 7
Insert: "STATE EQUALIZATION AID"

2. Page 1, line 17.
Strike: "general fund"
Insert: "state special revenue fund for state equalization aid"

3. Page 1, line 18.
Strike: "$39,000,000"
Insert: "$20,000,000"

4. Page 1, line 21 through line 4, page 2.
Strike: section 2 in its entirety
Renumber: subsequent sections

Amendment failed as follows:

Ayes: Anderson, Brown, Crippen, Farrell, Galt, Hager, Hammond, Lane, Lybeck, Manning, Mazurek, Regan, Severson, Shaw, Thayer, Weeding.
Total 16

Noes: Aklestad, Bengtson, Blaylock, Boylan, Christiaens, Daniels, Eck, Fuller, Gage, Goodover, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lynch, McCallum, Mohar, Neuman, Pinsoneault, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Yellowtail, Mr. President.
Total 32

Excused: None.
Total 0

Absent or not voting: Conover, Williams.
Total 2

That SB 16, as amended, do pass. Motion failed as follows:

Ayes: Anderson, Bengtson, Boylan, Brown, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lynch, McCallum, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit.
Total 25

Noes: Aklestad, Blaylock, Christiaens, Conover, Crippen, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 25

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Lynch moved that SB 16 be indefinitely postponed. Motion carried as follows:

Ayes: Bengtson, Blaylock, Christiaens, Conover, Crippen, Eck, Fuller, Galt, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Anderson, Boylan, Brown, Daniels, Farrell, Gage, Goodover, Hager, Hammond, Harding, Keating, Kolstad, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed.

Mr. President in the Chair. Chairman Keating moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 2:00 p.m. Motion carried unanimously.

Senate recessed at 11:58 a.m.

Senate reconvened at 2:03 p.m.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 1, introduced by Jacobson, Halligan, Donaldson, J.K. Moore, Peck, Hand, Haffey, Hammond. Referred to the Committee on Education and Cultural Resources.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Keating in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 3 - That HB 3 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 46

Noes: Daniels, Haffey, Mazurek, Yellowtail.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Keating moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 3 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover,

Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 46

Noes: Daniels, Haffey, Mazurek, Yellowtail.
Total 4

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 2:16 p.m.

Senate reconvened at 3:34 p.m.

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 23rd day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 23rd day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, Montana industries, including the oil refineries in Billings, have been in compliance for the past four years with ambient air quality standards for sulfur dioxide established by the federal Environmental Protection Agency (EPA); and

WHEREAS, Montana has established ambient air standards for sulfur dioxide that are considerably more stringent than the federal standard; and

WHEREAS, the Board of Health and Environmental Sciences has directed the Department of Health and Environmental Sciences to develop emission standards to achieve compliance with the more stringent Montana ambient standard; and

WHEREAS, because of falling crude oil prices worldwide, it is unreasonable to force expensive control technologies on refineries at this time; and

WHEREAS, these refineries and other industries emitting sulfur dioxide provide a major source of jobs and tax revenue for Montana's flagging economy; and

WHEREAS, the Legislature must do everything possible to provide a healthy business climate while at the same time protect the health of Montana citizens through enforcement of the ambient air standards established by EPA; and

WHEREAS, adoption of the federal standard will maintain existing air quality while adding no additional expense to industry and no additional health risk; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation directing the Board of Health and Environmental Sciences to adopt the federal standard for ambient air quality for sulfur dioxide.

Members of the 49th Legislature:

Keating
E. Smith
Stephens
Crippen
Farrell
Goodover
Aklestad
Anderson
Severson
Hammond
Hannah
Asay
Winslow
Montayne
O'Hara
Sales
Ellison
Garcia
Swift
Nathe
Lory
McCallum
Harding
Galt
Shaw
Kolstad
Story
Gage
Thayer
B. Brown
Boylan
Keyser
Gilbert
Kitselman
Compton
Miller
J.K. Moore
Ramirez
Switzer
Simon
Eudaily
Keller

Sands	Wallin
Thomas	Phillips
Jenkins	Cobb
Iverson	Marks
Devlin	Neill
C. Smith	Jones
Hayne	Schultz
Patterson	Peterson
Tveit	Manuel
Hager	Campbell
Grady	Ernst
Nelson	Brandewie
Harp	Pavlovich
Thoft	Glaser
Mercer	Donaldson
Rehberg	Ellerd
Pistoria	O'Connell

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., June 24, 1986.

Motion carried.

Senate adjourned at 3:38 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM

EIGHTH LEGISLATIVE DAY

Helena, Montana
June 24, 1986

Senate Chambers
State Capitol

Senate convened at 10:02 a.m., President Norman presiding. Invocation by Father Jones. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journals for the fifth and sixth legislative days, find the same to be correct.

Manning, Chairman

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 23rd day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 23rd day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the State is laboring under economic distress, affecting its citizens, local governments, and state government; and

WHEREAS, coal mined in Montana suffers under an economic disadvantage due to the high taxation on such coal and the relatively low taxation on mining coal in Wyoming; and

WHEREAS, the constitutional coal severance tax trust fund was established to provide a financial cushion for Montana's future and it appears that the present constitutes the "future" envisioned when the fund was established; and

WHEREAS, the reduction of the severance tax on coal by fifty percent and ending further contributions to the principal of the permanent trust

fund would encourage further mining and would provide revenue to the state, both of which would provide an impetus for Montana's economy; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation:

(1) proposing an amendment to the Montana Constitution to allow for the reduction of severance taxes by fifty percent and subsequent contributions to the permanent coal tax trust fund;

(2) relating to the taxation of coal and coal mining interests and allocation of the proceeds of such taxes; and

(3) allowing such a constitutional referenda to be placed on the ballot November 1986.

Members of the 49th Legislature:

O'Hara	Devlin
Tveit	Gage
Galt	Asay
Hammond	Keller
Shaw	Sales
Goodover	Ellerd
Manuel	Keyser
J. Moore	Jenkins
Kitselman	Wallin
Compton	Brandewie
Cobb	Miller
Grady	Campbell
Hanson	Neill
Patterson	Phillips
Sands	Gilbert
Peterson	Ellison
Hayne	C. Smith
Stimatz	Pavlovich
Quilici	Swift
Montayne	Lane
Daniels	B. Williams
Thoft	Glaser
Rehberg	Hannah
Harp	Stephens
Keating	McCallum
Farrell	Mohar
Boylan	Pinsoneault
Harding	Thayer
Aklestad	Thomas
Garcia	Story
Anderson	Kolstad
Crippen	D. Brown
Switzer	Hirsch

Hager	Simon
Iverson	Nathe
E. Smith	Mercer
Jacobson	Jones
Ernst	J.K. Moore

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 23rd day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 23rd day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, in the recent case of Pfost v. State of Montana, _____M_____, _____P2d_____, 42 St. Rep. 1957 (1985), the Montana Supreme Court struck down section 2-9-107, MCA, which imposed limitations on the amount of damages recoverable against governmental entities as violating the equal protection clause of the Montana Constitution found at Article II, section 4; and

WHEREAS, the Court applied a strict scrutiny analysis to the statutory limitations; and

WHEREAS, in order to have legislation upheld as valid under a strict scrutiny analysis, the Legislature must demonstrate a compelling state interest for the legislation; and

WHEREAS, as a result of the Pfost decision, governmental entities have experienced problems in obtaining affordable liability insurance because of their unlimited liability exposure; and

WHEREAS, the inability of governmental entities to obtain affordable liability insurance has created severe problems and requires immediate action by the Legislature to afford relief; and

WHEREAS, it is believed that the Legislature can demonstrate a compelling state interest sufficient to satisfy the strict scrutiny test in light of

the problems experienced by governmental entities since the Pfost decision; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation creating statutory limitations on public liability.

Members of the 49th Legislature:

Blaylock
Christiaens
B. Williams
Harper
Manuel
Ream
Lory
Anderson
Towe
Lane
Conover
Boylan
Hirsch
Mazurek
Gage
Jacobson
Stimatz
Mohar
Manning
M. Williams
O'Connell
Pistoria
Peck
Hart
Howe
Darko
Harbin
Poff
Stang
Bardanouve
Harrington
McCormick
Connelly
Daniels
Ellerd
Ramirez
Asay
Nathe
Schye
Cohen
Eudaily
Fuller
Addy
Lybeck
Quilici
Nisbet
Weeding
Neuman
Bengtson
Hager
Keating
Lynch
Pinsoneault
Halligan
Regan
McCallum
Keenan
Kolstad
Montayne
Driscoll
Story
Kennerly
Spaeth
Veleber
Raney
Miles
Van Valkenburg
Hand
Bradley
Abrams
Bachini
D. Brown
Menahan
Yellowtail
Eck
Kitselman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman) 6/24/86

Signed by the President at 9:45 a.m., 6/24/86: HB 1.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate: 6/24/86

SB 2, introduced by Himsl

House bills passed and transmitted to the Senate for concurrence: 6/24/86

HB 2, introduced by Eudaily

HB 10, introduced by Abrams

HB 11, introduced by Manuel

HB 22, introduced by Sands

HB 23, introduced by Ream

HB 24, introduced by J. Brown

HB 25, introduced by J. Brown

HB 26, introduced by J. Brown

HB 31, introduced by Spaeth

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 2, introduced by Eudaily, Kolstad, (By Request of the Legislative Council). Referred to the Committee on Finance and Claims.

HB 10, introduced by Abrams, (By Request of the Department of Administration). Referred to the Committee on Finance and Claims.

HB 11, introduced by Manuel. Referred to the Committee on Local Government.

HB 22, introduced by Sands, Nelson, Towe, Eck, Regan, Cohen, Fuller, Hager, Blaylock, Winslow, Peck, Abrams, Bachini, Nisbet, Veleber, Addy, Menahan, Rapp-Svrcek, Schye, Cody, Jacobson, Keenan, Kadas, Halligan, Hansen, Quilici, Christiaens, Pavlovich, Harper, McCormick, Kitselman, Harrington, Hart, Vincent, Compton, Peterson, B. Brown, C. Smith, E. Smith, Bradley, Harp, Brandewie, Manning, Yellowtail, Wallin, Neuman, Mohar, Lybeck, Hannah, Montayne, Lane, Aklestad, Harding, Conover. Referred to the Committee on Finance and Claims.

HB 23, introduced by Ream, Yellowtail, (By Request of the Montana Coal Board). Referred to the Committee on Finance and Claims.

HB 24, introduced by J. Brown, Story, (By Request of the Department of Health and Environmental Sciences). Referred to the Committee on Finance and Claims.

HB 25, introduced by J. Brown, Story, (By Request of the Department of Health and Environmental Sciences). Referred to the Committee on Finance and Claims.

HB 26, introduced by J. Brown, Story, (By Request of the Department of Health and Environmental Sciences). Referred to the Committee on Finance and Claims.

HB 31, introduced by Spaeth, Blaylock, Ramirez, Devlin, Weeding, Abrams, Harp, Keating, (By Request of the Department of Administration). Referred to the Committee on Finance and Claims.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Christiaens in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 11 - SB 11 do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Stimatz, Towe, Weeding, Williams, Yellowtail, Mr. President.
Total 28

Noes: Aklestad, Blaylock, Boylan, Crippen, Galt, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg.
Total 22

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Christiaens moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 11 passed as follows:

Ayes: Anderson, Bengtson, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Pinsoneault, Stimatz, Towe, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Blaylock, Boylan, Crippen, Galt, Goodover, Hager, Hammond, Hirsch, Keating, Mohar, Neuman, Regan, Severson, Shaw, Stephens, Story, Thayer, Tveit, Van Valkenburg.
Total 20

Excused: None.
Total 0

Absent or not voting: Smith.
Total 1

SPECIAL ORDERS OF THE DAY

Senator Severson introduced Martha Burke, State and National Mother of the Year, to the members of the Senate.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 3:00 p.m. Motion carried unanimously.

Senate recessed at 11:08 a.m.

Senate reconvened at 3:05 p.m.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman) 6/24/86

SB 14, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Following: "CENTS" on line 7
Strike: "AND TO INCREASE THE TAX ON DIESEL FUEL AND VOLATILE LIQUIDS BY 3 CENTS"
Following: ";"
Insert: "TO LIMIT THE AMOUNT CREDITED TO THE STATE PARK ACCOUNT, THE SNOWMOBILE ACCOUNT, AND THE AERONAUTICS ACCOUNT; TO INCREASE THE DEDUCTION FOR GASOLINE EVAPORATION;"

2. Title, line 14.
Following: "15-70-204,"
Strike: "15-70-321"
Insert: "15-70-205"

3. Title, line 15.
Following: "44-1-501,"
Insert: "60-3-201,"

4. Title, line 16.
Following: "DATES"
Insert: "AND AN APPLICABILITY DATE"

5. Page 2, line 12 through line 4, page 3.
Following: line 11
Strike: section 2 in its entirety
Renumber: subsequent sections

6. Page 9.
Following: line 20
Insert: "Section 7. Section 60-3-201, MCA, is amended to read:

"60-3-201. Distribution and use of proceeds of gasoline dealers' license tax. (1) All money received in payment of license taxes under the Distributor's Gasoline License Tax Act, except those amounts paid out of the department of revenue's suspense account for gasoline tax refund, shall be used and expended as provided in this section. So much of that money on hand at any time as may be needed to pay highway bonds and interest thereon when due and to accumulate and maintain a reserve therefor, as provided in laws and in resolutions of the state board of examiners authorizing such bonds, shall be deposited in the highway bond account in the debt service fund established by 17-2-102. Subject to that provision, 9/10 of 1% of ~~all~~ the money raised by 15 cents of the gasoline dealers' license tax shall be deposited in the state park account, ½ of 1% of ~~all~~ the money raised by 15 cents of the gasoline dealers' license tax shall be deposited in a snowmobile account in the state special revenue fund, and 1/25 of 1% of ~~all~~ the money raised by 15 cents of the

gasoline dealers' license tax shall be deposited in the aeronautics revenue fund of the department of commerce under the provisions of 67-1-301. The remainder of the money shall be used by the department of highways on the federal-aid highways in this state selected and designated under Title 23, U.S.C., and on highways leading from each county seat in the state to the federal highway system of federal-aid roads where the county seat is not on the system and on the other roads which have been or may be authorized by the laws of Montana and for collection of the license taxes and the enforcement of the Montana highway code under Article VIII, section 6, of the constitution of this state.

(2) The department shall, in expending this money, carry forward construction from year to year, using the money expended through the matching up of federal-aid allotments to Montana upon the federal highway system in the various parts of the state in accordance with 60-3-204 through 60-3-206. Nothing in this title conflicts with Title 23, U.S.C., and the rules by which it is administered.

(3) The department may enter into cooperative agreements with the national park service and the federal highway administration for the purpose of maintaining national park approach roads in Montana.

(4) Money credited to the state park account in the state special revenue fund shall be used only for the creation, improvement, and maintenance of state parks where motorboating is allowed, except for the payment of refunds under 15-70-221 through 15-70-226. The legislature finds that of all the fuel sold in the state for consumption in internal combustion engines, not less than 9/10 of 1% is used for propelling boats on waterways of this state.

(5) Money credited to the snowmobile account may be used only to develop and maintain facilities open to the general public at no admission cost and to promote snowmobile safety. For the 2 years following July 1, 1977, 15% of the amount deposited in the snowmobile account each year shall be used to promote snowmobile safety. Thereafter, 10% of the amount deposited in the snowmobile account shall be used to promote snowmobile safety. The legislature finds that of all fuels sold in this state for consumption in internal combustion engines, not less than ½ of 1% is used for propelling snowmobiles on public lands of this state.

(6) Money credited to the aeronautics account of the department of commerce shall be used only to develop, improve, and maintain facilities open to the public at no admission cost and to promote aviation safety. The legislature finds that of all the fuel sold in this state for consumption in internal combustion engines, not less than 1/25 of 1% is used for propelling aircraft in this state."

Section 8. Section 15-70-205, MCA, is amended to read:

"15-70-205. Distributor's statement and payment. (1) Each distributor shall, not later than the 25th day of each calendar month, render a true statement, duly signed, to the department of revenue of all gasoline distributed and received by him in this state during the preceding calendar month and containing such other information as the department may reasonably require in order to administer the gasoline license tax law. The statement shall be accompanied by a payment in an amount equal to the tax imposed by 15-70-204 less any refund credit issued under 15-70-226 and less ~~2%~~ 1% of the ~~first 6~~

~~cents~~ tax imposed by 15-70-204 which shall be deducted by the distributor as an allowance for evaporation and other loss of gasoline distributed by such distributor; provided, however, that no such allowance shall be deducted from the 1 cent tax on aviation gasoline.

(2) Any distributor engaged in or carrying on his business at more than one place or location in this state may include all such places of business in one statement.""

Renumber: subsequent sections

7. Page 9, line 23.
Following: "dates"
Insert: "— applicability date"

8. Page 9, line 24.
Following: "and"
Strike: "2"
Insert: "8"

9. Page 9, line 25.
Following: "Sections"
Strike: "3 through 9"
Insert: "2 through 7, 9, and 10"

10. Page 9.
Following: line 25
Insert: "(3) Changes in the allocation of coal severance taxes made under sections 3 and 6 apply to coal mined after March 31, 1986."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate: 6/24/86

SB 1, introduced by Mazurek

House bills passed and transmitted to the Senate for concurrence: 6/24/86

HB 37, introduced by Cobb

HB 39, introduced by Peck

MOTIONS

Senator Thayer moved that the Senate reconsider its action on SB 11, that it be returned from the House, and placed on second reading. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Conover, Crippen, Daniels, Eck, Farrell, Galt, Goodover, Hager, Halligan, Hammond, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams.
Total 36

Noes: Brown, Christiaens, Fuller, Haffey, Harding, Jacobson, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Yellowtail, Mr. President.
Total 13

Excused: None.
Total 0

Absent or not voting: Gage.
Total 1

Senator Yellowtail moved to adopt the following simple resolution:

A SIMPLE RESOLUTION OF THE MONTANA STATE SENATE REQUESTING CONGRESS THAT ADDITIONAL HISTORIC SITES BE PRESERVED AT THE CUSTER BATTLEFIELD NATIONAL MONUMENT; THAT THE LINES OF BATTLE BE MARKED AT THE HISTORIC SITE OF THE BATTLE OF THE LITTLE BIG HORN AND THAT A ROAD BE BUILT CONNECTING THE CEMETERY WITH RENO HILL.

To the Honorable Senate and House of Representatives and Congress assembled:

WHEREAS, Congress in setting aside a reservation of land on the Crow Indian Reservation in the State of Montana to commemorate this historic struggle between the United States Army and the Northern Plains Indians in the battle known as "The Little Big Horn" has recognized the fighting which took place on the bluffs above the Little Big Horn River which is officially known as "The Custer Battlefield National Monument"; and

WHEREAS, the soil was made sacred by the blood of valiant combatants; and

WHEREAS, the unreserved and unmarked ground that properly forms a part of the sight of the battle of the Little Big Horn is of great historical importance.

NOW, THEREFORE, BE IT RESOLVED, that we, the 49th Legislature, Third Special Session of the State of Montana, do earnestly petition the Congress of the United States that such legislation be enacted as will provide for the preservation of additional historic lands to include the site of the opening fight in the valley and the site of the Indian encampment and lands east of the river that are of historic value including but not limited to the following areas: Nye-Cartwright Ridge, Medicine Tail Coulee, and Weir Point.

BE IT FURTHER RESOLVED, that the Congress be requested for the authentic information of future generations to provide that the lines of battle be marked in an appropriate manner and that a practical road or highway be built from and connecting the national cemetery on Custer Ridge with Reno Hill and the site of Reno's fight in the valley including a bridge over the Little Big Horn River.

BE IT FURTHER RESOLVED, that the Secretary of State be and is hereby instructed to transmit copies of this resolution properly authenticated to the Honorable Secretary of the Interior and to our Senators and Representatives in Congress from the State of Montana.

Motion carried unanimously.

FIRST READING OF BILLS

The following Senate bills were introduced, read first time, and referred to committees:

SB 21, introduced by E. Smith. Referred to Committee on Taxation.
SB 22, introduced by Blaylock. Referred to Committee on Judiciary.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., June 25, 1986.

Motion carried.

Senate adjourned at 3:25 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

NINTH LEGISLATIVE DAY

Helena, Montana
June 25, 1986

Senate Chambers
State Capitol

Senate convened at 9:05 a.m., President Norman presiding. Invocation by the Chaplain, Father Noonan. Pledge of Allegiance to the Flag.

Roll call. All members present except Daniels, Haffey, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the seventh legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman) 6/24/86
Correctly enrolled: SB 3.
Examined by the sponsor (Himsl) and found to be correct: SB 3.

FINANCE AND CLAIMS (Regan, Chairman) 6/25/86
HB 30, third reading copy, be amended as follows:

1. Page 24, line 25.
Following: "distance."
Insert: "The Division is directed to implement the recommendations of the Revenue Oversight Committee dated June 19, 1986, with respect to Liquor Division Recovery."

2. Page 36, line 23.
Following: line 22
Insert: "The Department shall not reduce contractor payments due to the 5 percent cuts in Special Session III. All reductions as a result of the 5 percent cuts made in Special Session III are to be made from non-construction programs."

3. Page 41, lines 9 and 10.
Strike: lines 9 and 10 in their entirety
Page 44, lines 8 and 9.
Strike: lines 8 and 9 in their entirety

4. Page 42, line 24.
Strike: "2,060,470 23,339,367"
Insert: "2,235,470 23,314,367"

5. Page 44, lines 8 and 9.
Strike: lines 8 and 9 in their entirety

6. Page 54, line 12.
Strike: "17,538,843 291,977,279"
Insert: "17,513,843 291,952,279"

7. Page 75, line 24.
Strike: "4,024,712 5,259,888"
Insert: "4,124,712 5,359,888"

8. Page 79, line 6.
Strike: "63,273,490 73,127,570"
Insert: "63,373,490 73,227,570"

9. Page 81, line 24.

Following: "~~appropriation.~~"
Insert: "Amounts in item 3e represent a biennial appropriation."

10. Page 81, line 25.
Following: line 24
Strike: "necessary"
Insert: "or contract with temporary"

11. Page 82, line 5.
Following: "policy."
Insert: "It is the intent of the Legislature that this program be reviewed during the 1987 regular session."

12. Page 92, line 18.
Strike: "380,125 451,346"
Insert: "371,891 443,112"

13. Page 92, line 23.
Strike: "146,337 179,970"
Insert: "145,057 178,690"

14. Page 93, line 5.
Strike: "215,909 324,966"
Insert: "214,081 323,138"

15. Page 93, line 9.
Strike: "40,124 399,719"
Insert: "39,758 399,353"

16. Page 93, line 15.
Strike: "71,912 830,417"
Insert: "71,272 829,777"

17. Page 93, line 20.
Strike: "203,171 220,935"
Insert: "201,435 219,199"

18. Page 93, line 23.
Insert: "14,084" under general fund, fiscal 1987
Strike: "65,042"
Insert: "79,126"

19. Page 96, line 18.
Following: "exceed"
Strike: "$14,384,000 in fiscal 1986 and"

20. Page 100, line 5.
Strike: "above"
Insert: "fiscal 1986"
Following: "provides"
Insert: "52% and the fiscal 1987 appropriation provides"

21. Page 102, lines 17 through 20.
Strike: lines 17 through 20 in their entirety
Insert: "For each year of the 1987 biennium, that portion of the current unrestricted fund derived from indirect cost reimbursements that exceeds $935,000 is appropriated to Montana State University."

22. Page 104, lines 6 through 9.
Strike: lines 6 through 9 in their entirety
Insert: "For each year of the 1987 biennium, that portion of the current unrestricted fund derived from indirect cost reimbursements that exceeds $400,000 is appropriated to the University of Montana."

23. Page 105, lines 13 through 15.
Strike: lines 13 through 15 in their entirety
Insert: "For each year of the 1987 biennium, that portion of the current unrestricted fund derived from indirect cost reimbursements that exceeds $85,000 is appropriated to Eastern Montana College."

24. Page 106, lines 17 through 19.
Strike: lines 17 through 19 in their entirety
Insert: "For each year of the 1987 biennium, that portion of the current unrestricted fund derived from indirect cost reimbursements that exceeds $20,000 is appropriated to Northern Montana College."

25. Page 107, lines 18 through 21.
Strike: lines 18 through 21 in their entirety
Insert: "For each year of the 1987 biennium, that portion of the current unrestricted fund derived from indirect cost reimbursements that exceeds $14,000 is appropriated to Western Montana College."

26. Page 109, lines 1 through 4.
Strike: lines 1 through 4 in their entirety
Insert: "For each year of the 1987 biennium, that portion of the current unrestricted fund derived from indirect cost reimbursements that exceeds $150,000 is appropriated to the Montana College of Mineral Science and Technology."

27. Page 109, line 18.
Strike: TOTAL STATE FUNDING totals under General Fund, State Special Revenue, and Total, fiscal 1987
Insert: "327,447,624" under General Fund, "304,919,326" under State Special Revenue, "1,059,380,362" under Total

Amend third reading copy amendments:

1. House Committee of the Whole amendment sponsored by Representative Quilici, dated 6/21/86, 7:59 p.m.
Following: Strike instruction in amendment 6
Insert: "Insert: "If Senate Bill 7, Special Session III, passes, item 9 shall be increased by no more than $90,000 general fund in fiscal 1987.""

2. Committee of the Whole amendment submitted by Representative Hannah, dated 6/21/86, 9:15 a.m.
Strike: the amendment in its entirety

3. Committee of the Whole amendment submitted by Representative D. Brown, dated 6/21/86, 11:33 a.m.
Strike: the amendment in its entirety.

And, as amended, be concurred in. Report adopted.

TAXATION (Towe, Chairman) 6/24/86
SB 20, introduced bill, be amended as follows:

1. Title, line 5.
Following: "AS"
Strike: "CLASS THREE OR"

2. Title, line 6.
Following: "FOUR;"
Insert: "TO ESTABLISH A NEW CLASS EIGHTEEN PROPERTY FOR NONPRODUCTIVE REAL PROPERTY CONTAINING 20 ACRES OR MORE; TO ESTABLISH A NEW CLASS NINETEEN PROPERTY FOR REAL PROPERTY CONTAINING LESS

THAN 20 ACRES AND THAT IS RENDERED NONPRODUCTIVE BY LAND USE LAWS;"

3. Title, line 7.
Following: "AMENDING"
Strike: "SECTIONS 15-6-134 AND 15-7-202"
Insert: "SECTION 15-8-111"

4. Page 1, line 12 through line 4, page 8.
Following: the enactment clause
Strike: sections 1 and 2 in their entirety
Insert: "NEW SECTION. Section 1. Class eighteen property — description — taxable percentage. (1) Class eighteen property includes parcels of nonproductive real property containing 20 or more contiguous acres under one ownership that do not qualify as agricultural land, timberland, or commercial or industrial property.

(2) Improvements to class eighteen property are taxed as class four property.

(3) Class eighteen property is taxed at 2% of its market value.

NEW SECTION. Section 2. Class nineteen property — description — taxable percentage. (1) Class nineteen property includes parcels of nonproductive real property containing less than 20 acres that are precluded from being developed for residential, commercial, or industrial purposes because of subdivision or zoning laws, regulations, or ordinances or that are precluded from being so developed for other reasons.

(2) Improvements to class nineteen property are taxed as class four property.

(3) Class nineteen property is taxed at 2% of its market value.

NEW SECTION. Section 3. Application for classification as class nineteen property. A person applying for classification of property as class nineteen property shall make an affidavit to the department of revenue, on a form provided by the department without cost, stating:

(1) that the property is precluded from being developed for residential, commercial, or industrial purposes because of subdivision or zoning laws, regulations, or ordinances or for other reasons;

(2) what law, regulation, or ordinance or other reason precludes such use;

(3) what determinations, if any, by a governmental entity have been made to substantiate the application for classification as class nineteen property; and

(4) such other information as is relevant to the application or as may be required by the department.

Section 4. Section 15-8-111, MCA, is amended to read:

"15-8-111. Assessment — market value standard — exceptions. (1) All taxable property must be assessed at 100% of its market value except as provided in subsection (5) of this section and in 15-7-111 through 15-7-114.

(2) (a) Market value is the value at which property would change hands between a willing buyer and a willing seller, neither being

under any compulsion to buy or to sell and both having reasonable knowledge of relevant facts.

(b) Except as provided in subsection (3), the market value of all motor trucks; agricultural tools, implements, and machinery; and vehicles of all kinds, including but not limited to aircraft and boats and all watercraft, is the average wholesale value shown in national appraisal guides and manuals or the value of the vehicle before reconditioning and profit margin. The department of revenue shall prepare valuation schedules showing the average wholesale value when no national appraisal guide exists.

(3) The department of revenue or its agents may not adopt a lower or different standard of value from market value in making the official assessment and appraisal of the value of property in 15-6-134 through 15-6-140, ~~and~~ 15-6-145 through 15-6-147, and [sections 1 and 2], except:

(a) the wholesale value for agricultural implements and machinery is the loan value as shown in the Official Guide, Tractor and Farm Equipment, published by the national farm and power equipment dealers association, St. Louis, Missouri; and

(b) for agricultural implements and machinery not listed in the official guide, the department shall prepare a supplemental manual where the values reflect the same depreciation as those found in the official guide.

(4) For purposes of taxation, assessed value is the same as appraised value.

(5) The taxable value for all property in classes four through eleven and fifteen through ~~seventeen~~ nineteen is the percentage of market value established for each class of property in 15-6-134 through 15-6-141, ~~and~~ 15-6-145 through 15-6-147, and [sections 1 and 2].

(6) The assessed value of properties in 15-6-131 through 15-6-133 is as follows:

(a) Properties in 15-6-131, under class one, are assessed at 100% of the annual net proceeds after deducting the expenses specified and allowed by 15-23-503.

(b) Properties in 15-6-132, under class two, are assessed at 100% of the annual gross proceeds.

(c) Properties in 15-6-133, under class three, are assessed at 100% of the productive capacity of the lands when valued for agricultural purposes. All lands that meet the qualifications of 15-7-202 are valued as agricultural lands for tax purposes.

(d) Properties in 15-6-143, under class thirteen, are assessed at 100% of the combined appraised value of the standing timber and grazing productivity of the land when valued as timberland.

(7) Land and the improvements thereon are separately assessed when any of the following conditions occur:

(a) ownership of the improvements is different from ownership of the land;

(b) the taxpayer makes a written request; or

(c) the land is outside an incorporated city or town.

(8) The taxable value of all property in 15-6-131 and classes two, three, and thirteen is the percentage of assessed value established in 15-6-131(2), 15-6-132, 15-6-133, and 15-6-143 for each class of property. (Subsections (3)(a) and (3)(b) applicable to tax years beginning after December 31, 1985—sec. 4, Ch. 463, L. 1985. Subsection (6)(d) and references in (8) to class thirteen and 15-6-143 terminate January 1, 1991—sec. 10, Ch. 681, L. 1985.)"

NEW SECTION. Section 5. Codification instruction. Sections 1 through 3 are intended to be codified as an integral part of Title 15, chapter 6, part 1, and the provisions of Title 15 apply to sections 1 through 3."

Renumber: subsequent sections

5. Page 8, line 8.
Following: "1986"
Insert: ", or 15 days after receipt by the taxpayer of a revised notice of classification and appraisal"

And, as amended, do pass. Report adopted.

MOTIONS

Senator Blaylock moved that the following sponsor be added to SB 22: Ramirez. Motion carried unanimously.

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 37, introduced by Cobb, Gould, Hannah. Referred to the Committee on Finance and Claims.

HB 39, introduced by Peck, (By Request of the Department of Natural Resources and Conservation). Referred to the Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Brown in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 18 - That SB 18, second reading copy, be amended as follows:

1. Title, line 18.
Strike: "IMMEDIATE"

2. Page 29, line 2.
Strike: "on passage and approval"
Insert: "December 31, 1986"

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Total 48

Noes: None.
Total 0

Excused: Daniels, Haffey.
Total 2

Absent or not voting: None.
Total 0

Senator Daniels present at this time.

That SB 18, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Daniels, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 25

Noes: Bengtson, Blaylock, Christiaens, Conover, Eck, Fuller, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 22

Excused: Haffey.
Total 1

Absent or not voting: Brown, Farrell.
Total 2

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Brown moved the adoption of the committee report. Report adopted.

Senator Farrell excused at this time.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 18 passed as follows:

Ayes: Aklestad, Anderson, Boylan, Crippen, Daniels, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 25

Noes: Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 24

Paired: Shaw, Aye; Haffey, No.

Excused: Farrell.
Total 1

Absent or not voting: None.

Total 0

Senator Van Valkenburg moved that the Senate recess until 1:30 p.m. Motion carried unanimously.

Senate recessed at 9:46 a.m.

Senate reconvened at 1:34 p.m.

Senator Farrell present at this time.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman) 6/25/86

HB 2, be concurred in. Report adopted.
HB 10, be concurred in. Report adopted.
HB 22, be concurred in. Report adopted.
HB 23, be concurred in. Report adopted.
HB 24, be concurred in. Report adopted.
HB 25, be concurred in. Report adopted.
HB 26, be concurred in. Report adopted.

MOTIONS

Senator Christiaens moved that the rules be temporarily suspended to permit the Legislative Fiscal Analyst's staff on the floor of the Senate during the debate on HB 30. Motion carried unanimously.

Senator Smith moved that the following names be added as sponsors to SB 21: Kadas, Poff, Switzer, Sales, Devlin, Keenan, Stephens, McCallum, Tveit, Gage, Hammond, Thayer, Manning, Conover, Hirsch.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 23, introduced by Keating, Asay, Tveit. Referred to the Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Christiaens moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Brown in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SECTION A. GENERAL GOVERNMENT AND HIGHWAYS

HB 30 - That HB 30, pink reading copy, be amended as follows:

1. Page 24, line 6.
Strike: "9,958,174 9,958,174"
Insert: "10,284,274 10,284,274"

LFA will amend totals.

Amendment failed as follows:

Ayes: Aklestad, Anderson, Bengtson, Crippen, Gage, Galt, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, McCallum, Pinsoneault, Shaw, Smith, Stimatz, Towe, Tveit, Weeding, Yellowtail.
Total 23

Noes: Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Goodover, Hager, Halligan, Himsl, Lybeck, Manning, Mazurek, Mohar, Regan, Severson, Stephens, Story, Thayer, Van Valkenburg, Williams, Mr. President.
Total 25

Excused: Haffey.
Total 1

Absent or not voting: Neuman.
Total 1

That HB 30, pink reading copy, be further amended as follows:

1. Page 23, line 15.
Strike: "2,568,878"
Insert: "2,698,258"

LFA will amend totals.

Amendment failed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Daniels, Eck, Fuller, Himsl, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Yellowtail, Mr. President.
Total 19

Noes: Aklestad, Anderson, Boylan, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Van Valkenburg, Weeding, Williams.
Total 30

Excused: Haffey.
Total 1

Absent or not voting: None.
Total 0

That HB 30, pink reading copy, be further amended as follows:

1. Page 24.
Following: line 10
Insert: "c. Property Tax Reappraisal" in General Fund Fiscal 1987 column, "84,151"

2. Page 25.
Following: line 18
Insert: "Item 9c is to fund the action taken in Senate Bill 19. If Senate Bill 19 does not pass, these funds are to revert to the general fund."

Amendment carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Fuller, Gage, Hager, Halligan, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Anderson, Boylan, Farrell, Galt, Goodover, Hammond, Harding, Keating, Kolstad, McCallum, Severson, Shaw, Story.
Total 14

Excused: Haffey.
Total 1

Absent or not voting: Hirsch.
Total 1

That HB 30, pink reading copy, be further amended as follows:

1. Page 25.
Following: line 18
Insert: "If Senate Bill 17 passes, item 5 shall be increased by no more than $20,000 in general fund in fiscal 1987."

Amendment failed as follows:

Ayes: Bengtson, Christiaens, Conover, Daniels, Eck, Fuller, Halligan, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 21

Noes: Aklestad, Anderson, Blaylock, Boylan, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Himsl, Keating, Kolstad, Lane, McCallum, Shaw, Smith, Stephens, Story, Thayer, Tveit, Williams.
Total 25

Excused: Haffey.
Total 1

Absent or not voting: Hirsch, Severson, Mr. President.
Total 3

Senator Stimatz moved that Section A, General Government and Highways, be closed. Motion carried unanimously.

SECTION B. HUMAN SERVICES

Senator Christiaens moved that Section B, Human Services, be closed. Motion carried unanimously.

SECTION C. NATURAL RESOURCES

Senator Boylan moved that Section C, Natural Resources, be closed. Motion carried unanimously.

SECTION D. DEPARTMENT OF INSTITUTIONS

Senator Bengtson moved that Section D, Department of Institutions, be closed. Motion carried unanimously.

SECTION E. OTHER EDUCATION

Senator Jacobson moved that Section E, Other Education, be closed. Motion carried unanimously.

SECTION F. HIGHER EDUCATION

That HB 30, pink reading copy, be further amended as follows:

1. Page 100, line 7.
Following: "~~PAYMENTS.~~"
Insert: "Beginning in fiscal year 1987, students supported by the WICHE, WAMI, and Minnesota Rural Dentistry programs shall be responsible for repaying the state for their out-of-state fees.

Repayment will commence within 3 years from graduation or leaving the program and be fully repaid within 10 years at 5% interest. The provisions of this amendment are to be administered by the Commissioner of Higher Education. A proprietary account shall be established for the purpose of collecting the principal and interest payments."

Amendment carried as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hammond, Harding, Hirsch, Kolstad, Lane, McCallum, Mohar, Pinsoneault, Regan, Shaw, Smith, Stephens, Story, Tveit, Weeding, Williams, Mr. President.
Total 27

Noes: Bengtson, Blaylock, Christiaens, Daniels, Eck, Fuller, Hager, Halligan, Himsl, Jacobson, Keating, Lybeck, Lynch, Manning, Mazurek, Severson, Stimatz, Thayer, Towe, Van Valkenburg, Yellowtail.
Total 21

Excused: Haffey.
Total 1

Absent or not voting: Neuman.
Total 1

Senator Jacobson moved that Section F, Higher Education, be closed. Motion carried unanimously.

SECTION G. LONG-RANGE BUILDING AND PLANNING

That HB 30, pink reading copy, be further amended as follows:

1. Title, line 8.
Following: line 7
Strike: "AMENDING SECTION 5, CHAPTER 732, LAWS OF 1985;"

2. Page 114, lines 10 through 17.
Strike: section 11 in its entirety
Renumber: subsequent sections

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Haffey.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that Section G, Long-Range Building and Planning, be closed. Motion carried unanimously.

That HB 30, as amended, do pass. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 40

Noes: Aklestad, Boylan, Gage, Galt, Goodover, Hammond, Kolstad, Lynch, Shaw.
Total 9

Excused: Haffey.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Brown moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 30 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Noes: Aklestad, Boylan, Gage, Galt, Goodover, Hammond, Harding, Kolstad, Lynch, Shaw, Smith, Tveit.
Total 12

Paired: Haffey, Aye; Lynch, No.

Excused: None.
Total 0

Absent or not voting: Keating.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman) 6/25/86
SB 19, introduced bill, be amended as follows:

1. Title, lines 4 through 7.
Following: "REQUIRE" on line 4
Strike: "STATE TAX APPEAL BOARD REVIEW OF"
Insert: "THE DEPARTMENT OF REVENUE TO STANDARDIZE PROPERTY TAX CLASSIFICATION AND APPRAISAL

NOTICES; TO REQUIRE THE DEPARTMENT TO SEND A STANDARD NOTICE TO TAXPAYERS WITH"
Following: "IN" on line 5
Insert: "1986"
Following: line 5
Strike: "BEFORE PLACEMENT ON ASSESSMENT BOOKS"
Following: "BOOKS;" on line 6
Insert: "TO EXTEND THE APPLICATION DEADLINE FOR REDUCTION IN 1986 VALUATIONS;"
Following: line 6
Strike: "15-8-112"
Insert: "15-7-102"

2. Page 1.
Following: line 7
Insert: "WHEREAS, each property taxpayer in the state should be properly notified regarding the classification and value of the taxpayer's property for property tax purposes; and

WHEREAS, the lack of a standardized property tax classification and appraisal notice results in a variety of notices being sent by the counties with a wide range in the clarity of the notices; and

WHEREAS, incomplete or incomprehensible tax classification and appraisal notices create much confusion and misunderstanding regarding the property tax system and, in particular, the property revaluation process as implemented in the 1986 tax year.

THEREFORE, the Legislature of the State of Montana finds it appropriate to direct the Department of Revenue to adopt a standardized property tax classification and appraisal notice and to send such notice to taxpayers with exceptional increases in 1986 assessments, and to extend the application deadline for reduction in 1986 valuations."

3. Page 1, line 10 through line 16, page 3.
Strike: sections 1 through 4 in their entirety
Insert: "Section 1. Section 15-7-102, MCA, is amended to read:

"15-7-102. Notice of classification and appraisal to owners — appeals. (1) It shall be the duty of the department of revenue to cause to be mailed to each owner and purchaser under contract for deed a notice of the classification of the land owned or being purchased by him and the appraisal of the improvements thereon only if one or more of the following changes pertaining to the land or improvements have been made since the last notice:

(a) change in ownership;

(b) change in classification;

(c) change in valuation; or

(d) addition or subtraction of personal property affixed to the land.

(2) The notice of classification and appraisal provided by the department under subsection (1) must be on a standardized form adopted by the department containing sufficient information in a comprehensible manner designed to fully inform the taxpayer as to the classification and appraisal of his property and of changes over the prior tax year.

~~(2)~~(3) If the owner of any land and improvements is dissatisfied with the appraisal or classification of his land or improvements, he may submit his objection in writing to the department's agent. The department shall give reasonable notice to such taxpayer of the time and place of hearing and hear any testimony or other evidence which the taxpayer may desire to produce at such time and afford the opportunity to other interested persons to produce evidence at such hearing. Thereafter, the department shall determine the true and correct appraisal and classification of such land or improvements and forthwith notify the taxpayer of its determination. In the notification, the department must state its reasons for revising the classification or appraisal. When so determined, the land shall be classified and improvements appraised in the manner ordered by the department.

~~(3)~~(4) Whether a hearing as provided in subsection (2) is held or not, the department or its agent may not adjust an appraisal or classification upon taxpayer's objection unless:

(a) the taxpayer has submitted his objection in writing; and

(b) the department or its agent has stated its reason in writing for making the adjustment.

~~(4)~~(5) A taxpayer's written objection to a classification or appraisal and the department's notification to the taxpayer of its determination and the reason for that determination are public records. Each county appraiser shall make such records available for inspection during regular office hours.

~~(5)~~(6) If any property owner shall feel aggrieved at the classification and/or the appraisal so made by the department, he shall have the right to appeal to the county tax appeal board and then to the state tax appeal board, whose findings shall be final subject to the right of review in the proper court or courts."

NEW SECTION. Section 2. Renotification to taxpayers with exceptional increases in 1986 assessments. The department of revenue shall send a standard property tax classification and appraisal notice as described in section 1 of this act to each property taxpayer whose 1986 assessment increased as a result of reappraisal of class four property by 180% or more when compared with his 1985 assessment.

NEW SECTION. Section 3. Application deadline for reduction in 1986 valuation. Notwithstanding the provisions of 15-15-102, the application deadline for reduction in 1986 taxable valuations is August 1, 1986, or 15 days after receipt by the taxpayer of a revised notice of classification and appraisal.

NEW SECTION. Section 4. Extension of authority. Any existing authority of the department of revenue to make rules on the subject of the provisions of this act is extended to the provisions of this act."

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate: 6/25/86

SB 7, introduced by Van Valkenburg

House bills passed and transmitted to the Senate for concurrence:

HB 16, introduced by Schye

HB 38, introduced by M. Williams

HB 47, introduced by Jenkins

The House, on 6/25/86, acceded to the request of the Senate and returned SB 11 for further consideration.

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 16, introduced by Schye, Lory, Quilici, Gage, (By Request of the Department of Administration). Referred to the Committee on State Administration.

HB 38, introduced by M. Williams, Blaylock, Conover, Towe, Quilici, Schye, Addy, Keenan, Peck, McCormick, Ream. Referred to the Committee on Taxation.

HB 47, introduced by Jenkins, Eck, Kolstad, Iverson, Gilbert, Peck, Cohen, Keenan, D. Brown, Manuel, Winslow, McCormick, Driscoll, Bachini, Sales, Harp, Spaeth, Cobb, Compton, Haffey, B. Williams, Boylan, Manning, Hirsch, Schye, Lynch, Shaw, Harding, Aklestad, Weeding, Montayne, Tveit, Van Valkenburg, Neuman, Pinsoneault, E. Smith, Crippen, Stephens, Galt, Hammond, Mercer, Jacobson, McCallum, Stimatz, Hannah, O'Connell, Abrams, Ramirez, Fritz, Pistoria, Harbin, M. Williams, J. Moore, Ernst, Pavlovich, Sands, Nelson, Glaser, Harper, Daniels, Thayer, Patterson, Gage, Marks, Bardanouve. Referred to Committee on Natural Resources.

Senator Van Valkenburg moved that the Senate recess until 5:00 p.m. Motion carried unanimously.

Senate recessed at 4:27 p.m.

Senate reconvened at 5:21 p.m.

Senator Haffey present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Brown in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 14 - That SB 14, second reading copy, be amended. Senator Lynch withdrew the amendment.

That SB 14, second reading copy, be amended as follows:

1. Title, line 23.
Following: "DATES"
Insert: ", TERMINATION DATES,"

2. Page 13, line 20.
Following: "dates"
Insert: "— termination dates"

3. Page 13, line 22.
Following: "1986"
Insert: ", and terminate on June 30, 1987"

4. Page 13, line 24.
Following: "1986"
Insert: ", and terminate on June 30, 1987"

5. Page 14, lines 1 and 2.
Following: "MINED" on line 1
Strike: "AFTER MARCH 31, 1986"
Insert: "from April 1, 1986, to March 31, 1987."

Amendment failed as follows:

Ayes: Aklestad, Anderson, Brown, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Harding, Keating, Lynch, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding.
Total 21

Noes: Bengtson, Blaylock, Christiaens, Conover, Daniels, Eck, Fuller, Haffey, Hammond, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 28

Excused: None.
Total 0

Absent or not voting: Boylan.
Total 1

That SB 14, second reading copy, be further amended as follows:

1. Title, lines 12 through 15.
Following: "~~CENTS~~;" on line 12
Strike: remainder of line 12 through EVAPORATION;" on line 15

2. Title, line 21.
Following: "~~15-70-321~~"
Strike: "15-70-205,"

3. Title, line 22.
Following: "44-1-501,"
Strike: "60-3-201,"

4. Page 10, line 4 through line 17, page 13.
Following: line 3 on page 4
Strike: sections 7 and 8 in their entirety
Renumber: subsequent sections

5. Page 13, line 21.
Following: "(1)"
Strike: "Sections 1 and" and "8 are"
Insert: "Section 1 is"

6. Page 13, line 23.
Following: "THROUGH"
Strike: "7, 9, AND 10"
Insert: "8"

Amendment carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Fuller, Haffey, Hammond, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Smith, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Anderson, Boylan, Crippen, Eck, Farrell, Gage, Goodover, Hager, Halligan, Harding, Keating, Kolstad, Pinsoneault, Shaw, Stephens, Thayer.
Total 17

Excused: None.
Total 0

Absent or not voting: Galt.
Total 1

That SB 14, as amended, do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Boylan, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Kolstad, Lynch, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding.
Total 24

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Brown moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 14 passed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Anderson, Boylan, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Keating, Kolstad, Lynch, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding.
Total 24

Excused: None.
Total 0

Absent or not voting: None.

Total 0

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., June 26, 1986.

Motion carried.

Senate adjourned at 6:20 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TENTH LEGISLATIVE DAY

Helena, Montana
June 26, 1986

Senate Chambers
State Capitol

Senate convened at 10:02 a.m., President Norman presiding. Invocation by the Chaplain, Father Noonan. Pledge of Allegiance to the Flag.

Roll call. All members present except the Committee on Judiciary. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eighth legislative day, find the same to be correct.

Manning, Chairman

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 77 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 26th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 26th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, several initiative proposals were delayed because of anticipated legislative action; and

WHEREAS, it is in the best interests of the people that the initiative process not be unduly burdensome on people; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section

6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation extending the time period during which signatures for the initiative process may be gathered and submitted to the Secretary of State.

Members of the 49th Legislature:

Marks
Thomas
Mercer
Hirsch
Conover
Boylan
B. Brown
Aklestad
Farrell
Tveit
E. Smith
McCallum
Anderson
Keyser
Hanson
Phillips
Compton
Gilbert
Wallin
Thoft
Campbell
Ellison
Hayne
Schultz
Iverson
Eudaily
Nathe
Ellerd
Jenkins
Keller
Kitselman
Winslow
Neill
Glaser
Jones
Keating
Shaw
C. Smith
Gage
B. Williams
Manuel
Pavlovich
Garcia
Hager
Thayer
Stephens
Goodover
Hammond
Himsl
Galt
Harding
Severson
J.K. Moore
Devlin
Sales
Switzer
Gould
Rehberg
Ramirez
Simon
Peterson
Ernst
Sands
Asay
Lory
Swift
O'Hara
Donaldson
Nelson
Miller
Patterson
Brandewie
Cobb
Hannah
Grady
Harp
Kolstad

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman) 6/25/86

Correctly enrolled: SB 2.

Examined by the sponsor (Himsl) and found to be correct: SB 2.

Signed by the President at 3:15 p.m., 6/25/86: SB 2, SB 3, HB 3, HB 6, HB 15.

MOTIONS

At the request of Senator Fuller, and without objection, SB 11 was moved to the bottom of the board on second reading this legislative day.

FIRST READING OF BILLS

The following Senate bill was introduced, read first time, and referred to committee:

SB 24, introduced by Keating, Asay, Tveit. Referred to the Committee on Taxation.

Senators Blaylock, Brown, Mazurek, Pinsoneault, Shaw, Towe, and Yellowtail present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Neuman in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 20 - That SB 20 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Daniels, Thayer.
Total 2

Absent or not voting: None.
Total 0

SB 5 - That SB 5, second reading copy, be amended as follows:

1. Title, line 4.
Strike: "FOUR"
Insert: "FIVE"

2. Page 1, line 20.
Following: "7"
Strike: "4"
Insert: "5"

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens,

Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Daniels, Thayer.
Total 2

Absent or not voting: None.
Total 0

Senator Daniels present at this time.

That SB 5, as amended, do pass. Motion failed as follows:

Ayes: Aklestad, Anderson, Boylan, Conover, Galt, Goodover, Keating, Kolstad, Lane, McCallum, Pinsoneault, Shaw, Smith, Story, Tveit, Williams.
Total 16

Noes: Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 33

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

Senator Lynch moved that SB 5 be indefinitely postponed. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Hammond, Himsl, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Stephens, Stimatz, Towe, Van Valkenburg, Weeding, Yellowtail.
Total 33

Noes: Boylan, Conover, Galt, Goodover, Kolstad, Lane, Shaw, Smith, Story, Tveit, Williams, Mr. President.
Total 12

Excused: Thayer.
Total 1

Absent or not voting: Harding, Keating, Pinsoneault, Severson.
Total 4

SB 19 - Senator Aklestad moved that SB 19 be moved to the bottom of the board. Motion carried unanimously.

HB 2 - That HB 2 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

HB 10 - That HB 10 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Blaylock.
Total 1

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

HB 22 - That HB 22 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

HB 23 - That HB 23 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

HB 24 - That HB 24 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

HB 25 - That HB 25 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

HB 26 - That HB 26 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.

Total 1

Absent or not voting: None.
Total 0

SB 11 - That SB 11, second reading copy, be amended as follows:

1. Title, lines 9 and 10.
Following: "ALLOWANCE;" on line 9
Strike: "INCREASING THE EMPLOYER CONTRIBUTION RATE;"
Following: "SECTIONS" on line 10
Strike: "19-3-801,"

2. Page 1, lines 18 and 19.
Following: "after" on line 18
Strike: "July 1"
Insert: "August 1"
Following: "before" on line 18
Strike: "December 31"
Insert: "August 31"

3. Page 2, line 2.
Following: "after"
Strike: "July 1"
Insert: "August 1"
Following: "before"
Strike: "December 31"
Insert: "August 31"

4. Page 3, line 5 through line 6, page 4.
Strike: section 3 in its entirety
Renumber: subsequent sections

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

That SB 11, as amended, do pass. Motion failed as follows:

Ayes: Brown, Christiaens, Daniels, Eck, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Towe, Williams, Yellowtail, Mr. President.
Total 21

Noes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Conover, Crippen, Farrell, Galt, Goodover, Hager, Hammond, Hirsch, Keating, Kolstad,

McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Tveit, Van Valkenburg, Weeding.
Total 28

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

Senator Goodover moved that SB 11 be indefinitely postponed. Motion failed as follows:

Ayes: Aklestad, Anderson, Crippen, Galt, Goodover, Hammond, Hirsch, Keating, McCallum, Severson, Smith, Stephens, Story, Tveit, Van Valkenburg.
Total 15

Noes: Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Shaw, Stimatz, Towe, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Neuman moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 20 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

MOTIONS

Senator Fuller moved that SB 11 be referred to the Committee on State Administration. Motion carried unanimously.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 1.

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 26th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 26th day of June, 1986.
JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the Legislature has reduced and eliminated State programs and functions to the point where essential services and functions are threatened; and

WHEREAS, the Governor's call limits the type of revenue enhancement that may be considered during the special session and the purposes for which such revenue may be used is constitutionally restricted; and

WHEREAS, the constitutional mandate of a balanced state budget cannot be met under such circumstances; and

WHEREAS, chewing tobacco, as well as other tobacco products other than cigarettes, pay taxes at approximately one-half the rate paid by cigarettes; and

WHEREAS, in this time of fiscal crisis there is no reason for such disparity and additional revenues raised by increasing the tax on chewing tobacco and other tobacco products other than cigarettes would be of significant help in funding education; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene

the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation increasing the taxes on tobacco products other than cigarettes and providing that the increased revenue be used for state aid to education.

Members of the 49th Legislature:

J. Moore
Addy
Ellison
O'Hara
Eudaily
Harrington
Montayne
Veleber
Campbell
Ream
Hayne
Darko
Lory
Nisbet
Bradley
Hansen
Harper
D. Brown
Ellerd
McCormick
O'Connell
Connelly
Koehnke
Poff
Raney
Weeding
Mohar
Christiaens
Eck
Halligan
J. Brown
Daniels
Blaylock
Manning
Krueger
Abrams
Menahan
Jenkins
J.K. Moore
Garcia
Rapp-Svrcek
Cody
Kadas
Jacobson
Hand
Miles
C. Smith
Miller
Neill
Ernst
Compton
Peterson
Howe
Kennerly
Quilici
Hirsch
Grady
Hanson
Fritz
Winslow
Cohen
Harbin
Tveit
Shaw
Manuel
Pinsoneault
Van Valkenburg
Conover
E. Smith
Spaeth
Peck
Schye
Keenan
Bachini
Bardanouve
Brandewie

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman) 6/26/86

HB 37, third reading copy, be amended as follows:

1. Title, line 9.
Following: "AWARDS;"
Insert: "AMENDING THE DUTIES OF THE DEPARTMENT OF ADMINISTRATION;"

2. Title, line 10.
Following: line 9

Strike: "SECTION"
Insert: "SECTIONS 2-18-1103 AND"

3. Page 1, line 14.
Following: line 13
Insert: "Section 1. Section 2-18-1103, MCA, is amended to read:

"2-18-1103. Powers and duties of the department. The department shall:

(1) adopt rules to equitably administer the employee incentive award program;

(2) provide an opportunity for all employees to participate in the program;

(3) assist agencies in making incentive awards under the program;

(4) grant or deny incentive awards in consultation with the incentive awards advisory council and determine the amount of each incentive award based on first-year monetary savings;

(5) hear appeals from employees on the operation of the program; ~~and~~

(6) prepare a biennial report to the legislature containing a list of incentive awards and the corresponding savings to the state resulting from each employee's suggestion or invention and providing a general review of and recommendations for improving the program; and

(7) send a copy of all suggestions or inventions submitted under this program to the office of the legislative fiscal analyst.""
Renumber: subsequent sections

And, as amended, be concurred in. Report adopted.

JUDICIARY (Mazurek, Chairman) 6/26/86
SB 22, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "FOR RETROACTIVE"
Insert: "AN"

2. Title, line 8.
Following: "APPLICABILITY"
Insert: "DATE"
Following: "EFFECTIVE DATE"
Insert: "AND A TERMINATION DATE"

3. Page 3, line 12.
Strike: "$300,000"
Insert: "$500,000"
Strike: "$1"
Insert: "$1.5"

4. Page 4, line 7.
Strike: "retroactively, within the meaning of 1-2-109,"

5. Page 4, lines 8 and 9.
Strike: "July 1, 1977"
Insert: "the effective date of this act"

6. Page 4, line 15.
Following: "date"

Insert: "— termination date"

7. Page 4, line 16.
Following: "approval."
Insert: "Sections 1 and 2 of this act terminate on June 30, 1987."

And, as amended, do pass. Report adopted.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 2:00 p.m. Motion carried unanimously.

Senate recessed at 12:13 p.m.

Senate reconvened at 2:12 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman) 6/26/86
Delivered to the Governor at 1:45 p.m., 6/26/86: SB 2, SB 3.

Report adopted.

LOCAL GOVERNMENT (Fuller, Chairman) 6/26/86
HB 11, third reading copy, be amended as follows:

1. Page 7, line 21.
Following: "FISCAL YEAR"
Strike: "BASED UPON"
Insert: "at the level of"

2. Page 8, line 15.
Following: "SET"
Strike: "BASED UPON"
Insert: "at the level of"

3. Page 10, line 9.
Following: "line 8
Strike: "BASED UPON"
Insert: "at the level of"

And, as amended, be concurred in. Report adopted.

Senators Bengtson, Blaylock, McCallum and Regan excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 2 concurred in as follows:

Ayes: Aklestad, Anderson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: None.
Total 0

Excused: Bengtson, Blaylock, McCallum, Regan, Thayer.
Total 5

Absent or not voting: None.
Total 0

HB 10 concurred in. (47-1) Recorded vote taken on the eleventh legislative day because of machine malfunction.

Senators Bengtson, Blaylock, and Regan present at this time.

HB 22 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock. Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: McCallum, Thayer.
Total 2

Absent or not voting: None.
Total 0

HB 23 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: McCallum, Thayer.
Total 2

Absent or not voting: None.
Total 0

HB 24 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Hager, Lynch, Neuman, Shaw.
Total 4

Excused: McCallum, Thayer.
Total 2

Absent or not voting: None.

Total 0

HB 25 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: Lynch.
Total 1

Excused: McCallum, Thayer.
Total 2

Absent or not voting: None.
Total 0

Senator McCallum present at this time.

HB 26 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Lynch.
Total 1

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Pinsoneault moved that the Senate adopt a simple resolution as follows:

WHEREAS, this special session of the Montana Legislature will mark the final appearance of certain Senate members, who, for various reasons will not be present when the 50th General Legislative Session of the Montana State Legislature convenes in January of 1987; and

WHEREAS, the combined services of those Senate members hereinafter identified represent in excess of 50 years of service to the Montana State Legislature; and

WHEREAS, as a gesture of appreciation by the Senate of the State of Montana in special session in June of 1986, to those Senators who will not be present during the 50th General Legislative Session of the State of Montana.

NOW, THEREFORE, BE IT RESOLVED THAT ON THE 26TH DAY OF JUNE, 1986, AT THREE O'CLOCK P.M., IN THE OLD SUPREME COURT CHAMBERS, THE MEMBERS OF THE SENATE SHALL PAUSE AND THERE ASSEMBLE TO PAY RESPECT TO THOSE SENATE MEMBERS, NAMELY:

SENATOR STAN STEPHENS - 16 years
SENATOR PAT GOODOVER - 12 years
SENATOR MAX CONOVER - 12 years
SENATOR DAVID FULLER - 4 years
SENATOR JOHN MOHAR - 4 years
SENATOR LEO LANE - 4 years

DATED this 24th day of June, 1986.

Motion carried unanimously.

At the request of the President, the retiring Senators were escorted to the old Supreme Court Chambers by Sergeant-at-Arms Erving.

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 2:26 p.m.

Senate reconvened at 3:04 p.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Neuman in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 19 - That SB 19, second reading copy, be amended as follows:

1. Page 7, line 5.
Following: "ASSESSMENT"
Insert: "on class four property"

2. Page 7, line 13.
Following: "APPRAISAL"
Insert: ", whichever is later"

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.

Total 0

That SB 19, second reading copy, be further amended as follows:

1. Title, line 7.
Following: "~~OF~~"
Insert: "COUNTY TAX APPEAL BOARD REVIEW OF EXCEPTIONAL INCREASES IN ASSESSMENTS BEFORE PLACEMENT ON ASSESSMENT BOOKS; TO REQUIRE"

2. Title, line 13.
Following: "15-7-102"
Insert: "AND 15-8-112"

3. Page 1.
Following: line 15
Insert: "WHEREAS, the Department of Revenue should carry the burden of substantiating exceptional increases in assessments before placement on assessment books; and"

4. Page 2.
Following: line 4
Insert: "submit assessments with exceptional increases for review by the county tax appeal board before placement on assessment books, to"

5. Page 4.
Following: line 17
Insert: "NEW SECTION. Section 1. County tax appeal board review of exceptional increases in assessments. (1) Whenever the department arrives at an assessed value for a parcel of property that exceeds the assessment for the immediately preceding year by 20% or more, the department shall submit the assessment for review by the county tax appeal board before the assessment for that parcel is placed on the tax rolls. The department shall provide the board with substantiation for such an exceptional increase in assessment.

(2) The county tax appeal board shall consider the department's determination and within 30 days enter an order:

(a) authorizing the department to assign to the tax rolls that assessment determined by the department; or

(b) directing the department to assign to the tax rolls a lesser assessment determined by the board as supported by its findings.

(3) The review by the board under this section is not a contested case under the Montana Administrative Procedure Act, and a taxpayer is not entitled to participate in the review procedure. Review by the board does not affect the right of a taxpayer to pursue any remedies provided under law for an aggrieved taxpayer once an assessed value is placed on the tax rolls.

NEW SECTION. Section 2. Review of exceptional increases in 1986 property assessments. Each property assessment assigned by the department to the tax rolls for the 1986 tax year must be submitted by the department to the county tax appeal board for review under [section 1] if the assessment exceeds the 1985 assessment by 180% or more. The board shall review such assessments and render decisions before August 1, 1986. The department shall

direct the county clerk to make appropriate changes in the assessment book and notify affected taxpayers of the decreased assessment and right to appeal to the county tax appeal board within 15 days of mailing of the notice.

Section 3. Section 15-8-112, MCA, is amended to read:

"15-8-112. Assessments to be made on classification and appraisal. (1) The assessments of all lands, city and town lots, and all improvements must be made on the classification and appraisal as made or caused to be made by the department of revenue.

(2) The percentage basis of assessed value as provided for in chapter 6, part 1, is determined and assigned by the department when it makes its annual assessment of the property which it is required to assess centrally under the laws of this state. The department shall transmit such determination and assignment to its agents in the various counties with the assessments so made, and, except as provided in [sections 1 and 2], its determination is final except as to the right of review in the state tax appeal board or the proper court.""

Renumber: subsequent sections

6. Page 7.
Following: line 13
Insert: "NEW SECTION. Section 7. Codification instruction. Section 1 is intended to be codified as an integral part of Title 15, chapter 8, and the provisions of Title 15, chapter 8, apply to section 1."
Renumber: subsequent sections

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Tveit, Van Valkenburg, Weeding, Williams.
Total 37

Noes: Blaylock, Eck, Fuller, Himsl, Hirsch, Lybeck, Neuman, Stimatz, Towe, Yellowtail, Mr. President.
Total 11

Excused: Thayer.
Total 1

Absent or not voting: Smith.
Total 1

That SB 19, second reading copy, be further amended as follows:

Amend Senate Committee of the Whole amendment of 6/26/86, 2:00 p.m., sponsored by Crippen, as follows:

1. Amendment No. 5.
NEW SECTION. Section 2, line 8
Following: "county"
Strike: "clerk"
Insert: "assessor"

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

That SB 19, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Blaylock, Eck, Hirsch, Lybeck, Mohar, Stimatz.
Total 6

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

SB 22 - That SB 22, second reading copy, be amended as follows:

1. Title, line 8.
Strike: "AN IMMEDIATE"

2. Title, line 9.
Strike: "DATE"
Insert: "DATES"

3. Page 3, line 21.
Following: line 20
Insert: "Section 3. Section 2-9-101, MCA, is amended to read:

"2-9-101. Definitions. As used in parts 1 through 3 of this chapter, the following definitions apply:

(1) "Claim" means any claim against a governmental entity, for money damages only, which any person is legally entitled to recover as damages because of personal injury or property damage caused by a negligent or wrongful act or omission committed by any employee of the governmental entity while acting within the scope of his employment, under circumstances where the governmental entity, if a private person, would be liable to the claimant for such damages under the laws of the state. For purposes of this section ~~and the limit of liability contained in 2-9-107~~, all claims which arise or derive from personal injury to or death of a single

person, or damage to property of a person, regardless of the number of persons or entities claiming damages thereby, are considered one claim.

(2) "Employee" means an officer, employee, or servant of a governmental entity, including elected or appointed officials, and persons acting on behalf of the governmental entity in any official capacity temporarily or permanently in the service of the governmental entity whether with or without compensation, but the term employee shall not mean a person or other legal entity while acting in the capacity of an independent contractor under contract to the governmental entity to which parts 1 through 3 apply in the event of a claim.

(3) "Governmental entity" means and includes the state and political subdivisions as herein defined.

(4) "Personal injury" means any injury resulting from libel, slander, malicious prosecution, or false arrest, any bodily injury, sickness, disease, or death sustained by any person and caused by an occurrence for which the state may be held liable.

(5) "Political subdivision" means any county, city, municipal corporation, school district, special improvement or taxing district, or any other political subdivision or public corporation.

(6) "Property damage" means injury or destruction to tangible property, including loss of use thereof, caused by an occurrence for which the state may be held liable.

(7) "State" means the state of Montana or any office, department, agency, authority, commission, board, institution, hospital, college, university, or other instrumentality thereof.""

Renumber: subsequent sections

4. Page 4, line 8.
Following: "act"
Insert: ", except section 3,"

5. Page 4, line 11.
Following: "OF"
Insert: "sections 1, 2, and 4 through 9 of"

6. Page 4, line 17.
Strike: "date"
Insert: "dates"

7. Page 4, line 18.
Following: "approval"
Insert: ", except that section 3 is effective July 1, 1987"

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.

Total 0

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

That SB 22, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 46

Noes: Daniels, Haffey, Yellowtail.
Total 3

Excused: Thayer.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Neuman moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 19 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail.
Total 45

Noes: Blaylock, Eck, Lybeck, Stimatz, Mr. President.
Total 5

Paired: Thayer, Aye; Lybeck, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 22 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar,

Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 45

Noes: Daniels, Haffey, Neuman, Regan, Yellowtail.
Total 5

Paired: Thayer, Aye; Yellowtail, No.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of Senator Van Valkenburg, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 5:15 p.m. Motion carried unanimously.

Senate recessed at 4:38 p.m.

Senate reconvened at 5:20 p.m.

Committee on Taxation and Committee on the Law Enforcement Academy excused at this time.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate: 6/26/86

SB 8, introduced by McCallum

Senate bill concurred in, as amended, and returned to the Senate for concurrence in House amendments: 6/26/86

SB 9, introduced by Van Valkenburg

House bills passed and transmitted to the Senate for concurrence: 6/26/86

HB 7, introduced by Winslow

HB 21, introduced by Bardanouve

HB 32, introduced by Wallin

HB 33, introduced by Hand

HB 36, introduced by Addy

HB 40, introduced by Cobb

HB 46, introduced by Winslow

HB 48, introduced by Grady

HJR 3, introduced by Thomas

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 7, introduced by Winslow, (By Request of the Department of Social and Rehabilitation Services). Referred to the Committee on Finance and Claims.

HB 21, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to the Committee on Finance and Claims.

HB 32, introduced by Wallin, Bardanouve, Lynch, (By Request of the Department of Labor and Industry). Referred to the Committee on Labor.

HB 33, introduced by Hand, Spaeth, Peck, O'Hara, Jenkins, Boylan, Story, Connelly, Christiaens, Neuman, Holliday, Keating, (By Request of the Department of Social and Rehabilitation Services). Referred to the Committee on Public Health, Welfare and Safety.

HB 36, introduced by Addy, Keating, Menahan, Rapp-Svrcek, Vincent, Montayne, Donaldson, Driscoll, Neuman, Stephens, Bradley, Regan (By Request of the Department of Institutions). Referred to the Committee on Finance and Claims.

HB 40, introduced by Cobb, Gould, J. Brown, Keenan, Winslow, O'Hara, Jacobson, Hannah, Neill, Harper, Neuman, Mercer. Referred to the Committee on State Administration.

HB 46, introduced by Winslow, Haffey, (By Request of the Legislative Finance Committee). Referred to the Committee on Judiciary.

HB 48, introduced by Grady, Miles, Gould, Krueger, Thoft, Fuller, J. Brown, Jacobson, Keating, Daniels. Referred to the Committee on State Administration.

HJR 3, introduced by Thomas, Severson. Referred to the Committee on State Administration.

Senator Van Valkenburg moved that the Senate adjourn until 10:00 a.m., June 27, 1986.

Motion carried.

Senate adjourned at 5:25 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

ELEVENTH LEGISLATIVE DAY

Helena, Montana
June 27, 1986

Senate Chambers
State Capitol

Senate convened at 10:01 a.m., President Norman presiding. Invocation by the Chaplain, Father Noonan. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the ninth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

EDUCATION (Blaylock, Chairman) 6/26/86
SJR 1, introduced bill, be amended as follows:

1. Page 2, lines 4 through 6.
Following: "in" on line 4
Strike: "minerals" through "within" on line 6

2. Page 2, line 7.
Following: "the"
Insert: "university"

3. Page 3, line 1.
Strike: "and"

4. Page 3, line 4.
Following: "programs"
Insert: "; and

(8) a plan for some form of student repayment of out-of-state tuition within the WICHE, WAMI, and Minnesota Rural Dentistry programs, with consideration given for those students who return to the State of Montana to practice their professions"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Eck, Chairman) 6/26/86
HB 47, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman) 6/27/86
HB 16, be concurred in. Report adopted.

MOTIONS

Senator Jacobson moved that HB 40 be taken from the Committee on State Administration and that it be referred to the Committee on Public Health, Welfare and Safety. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate request the House to return HB 10 for purpose of a recorded third reading vote. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 10:11 a.m.

Senate reconvened at 11:06 a.m.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 9 - That House amendments to SB 9 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Bengtson, Blaylock, Boylan, Fuller, Galt, Goodover, Hager, Hammond, Himsl, Hirsch, Keating, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 30

Noes: Anderson, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Gage, Haffey, Halligan, Harding, Jacobson, Kolstad, Lynch, Manning, Regan, Severson, Shaw, Yellowtail.
Total 20

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 37 - That HB 37 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 37 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt,

Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Stimatz.
Total 1

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the President be authorized to appoint a free conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 9. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate recess until 11:45 a.m. Motion carried unanimously.

Senate recessed at 11:21 a.m.

Senate reconvened at 11:53 a.m.

MOTIONS

The President appointed the following members to a free conference committee on House amendments to SB 9.

Senator Van Valkenburg, Chairman
Senator Blaylock
Senator Brown

Senator Van Valkenburg moved that the Senate recess until 2:00 p.m. Motion carried unanimously.

Senate recessed at 11:54 a.m.

Senate reconvened at 2:07 p.m.

REPORTS OF STANDING COMMITTEES

FINANCE AND CLAIMS (Regan, Chairman) 6/27/86
HB 7, be concurred in. Report adopted.
HB 21, be concurred in. Report adopted.
HB 31, third reading copy, be amended as follows: 6/25/86

1. Title, line 9.
Following: "PROVIDING"
Strike: "AN IMMEDIATE EFFECTIVE DATE"

Insert: "EFFECTIVE DATES, A CONTINGENT TERMINATION DATE, AND CONTINGENT RETROACTIVE DATES"

2. Page 14, lines 18 through 21.
Following: "SECTION 11." on line 18
Strike: remainder of lines 18 through 21 in their entirety
Insert: "Statewide pay schedule for fiscal year 1987. The statewide classification pay schedule for fiscal year 1987 is as follows:

Annual Hours — 2080
Pay Matrix — State

Note: Includes Insurance
Matrix Type — Annual

	STEP												
GRADE	1	2	3	4	5	6	7	8	9	10	11	12	13
1	9,392	10,099	10,301	10,507	10,717	10,931	11,150	11,373	11,600	11,832	12,069	12,310	12,802
2	9,874	10,617	10,829	11,046	11,267	11,492	11,722	11,956	12,195	12,439	12,688	12,942	13,460
3	10,398	11,181	11,405	11,633	11,866	12,103	12,345	12,592	12,844	13,101	13,363	13,630	14,175
4	10,971	11,797	12,033	12,274	12,519	12,769	13,024	13,284	13,550	13,821	14,097	14,379	14,954
5	11,603	12,476	12,726	12,981	13,241	13,506	13,776	14,052	14,333	14,620	14,912	15,210	15,818
6	12,295	13,220	13,484	13,754	14,029	14,310	14,596	14,888	15,186	15,490	15,800	16,116	16,761
7	13,062	14,045	14,326	14,613	14,905	15,203	15,507	15,817	16,133	16,456	16,785	17,121	17,806
8	13,889	14,934	15,233	15,538	15,849	16,166	16,489	16,819	17,155	17,498	17,848	18,205	18,933
9	14,807	15,922	16,240	16,565	16,896	17,234	17,579	17,931	18,290	18,656	19,029	19,410	20,186
10	15,813	17,003	17,343	17,690	18,044	18,405	18,773	19,148	19,531	19,922	20,320	20,726	21,555
11	16,912	18,185	18,549	18,920	19,298	19,684	20,078	20,480	20,890	21,308	21,734	22,169	23,056
12	18,128	19,493	19,883	20,281	20,687	21,101	21,523	21,953	22,392	22,840	23,297	23,763	24,714
13	19,464	20,929	21,348	21,775	22,211	22,655	23,108	23,570	24,041	24,522	25,012	25,512	26,532
14	21,140	22,731	23,186	23,650	24,123	24,605	25,097	25,599	26,111	26,633	27,166	27,709	28,817
15	22,885	24,608	25,100	25,602	26,114	26,636	27,169	27,712	28,266	28,831	29,408	29,996	31,196
16	24,846	26,716	27,250	27,795	28,351	28,918	29,496	30,086	30,688	31,302	31,928	32,567	33,870
17	26,967	28,997	29,577	30,169	30,772	31,387	32,015	32,655	33,308	33,974	34,653	35,346	36,760
18	29,312	31,518	32,148	32,791	33,447	34,116	34,798	35,494	36,204	36,928	37,667	38,420	39,957
19	31,888	34,288	34,974	35,673	36,386	37,114	37,856	38,613	39,385	40,173	40,976	41,796	41,796
20	34,701	37,313	38,059	38,820	39,596	40,388	41,196	42,020	42,860	43,717	44,591	44,591	44,591
21	37,795	40,640	41,453	42,282	43,128	43,991	44,871	45,768	46,683	47,617	47,617	47,617	47,617
22	41,191	44,291	45,177	46,081	47,003	47,943	48,902	49,880	50,878	50,878	50,878	50,878	50,878
23	44,906	48,286	49,252	50,237	51,242	52,267	53,312	54,378	54,378	54,378	54,378	54,378	54,378
24	48,988	52,675	53,729	54,804	55,900	57,018	58,158	58,158	58,158	58,158	58,158	58,158	58,158
25	53,471	57,496	58,646	59,819	61,015	62,235	62,235	62,235	62,235	62,235	62,235	62,235	62,235

3. Page 15, line 8.
Following: "Effective"
Strike: "date. This act is"
Insert: "dates — contingent termination. (1) Sections 1 through 10 and 12 through 16 are"

4. Page 15, line 9.
Following: line 8
Insert: "(2) Section 11 is effective July 18, 1986, and applies retroactively, within the meaning of 1-2-109, to July 1, 1986, if by that date the department of administration certifies to the governor that at least 95% of the collectively bargained agreements with the state of Montana have not been renegotiated to include the continuation of the fiscal year 1986 state employee compensation plan.

(3) If by July 18, 1986, the department of administration certifies to the governor that at least 95% of the collectively bargained agreements with the state of Montana have not been renegotiated to include the continuation of the fiscal year 1986 state employee compensation plan, sections 1 through 9 and 13 through 15 terminate and such termination applies retroactively, within the meaning of 1-2-109, to July 1, 1986."

And, as amended, be concurred in. Report adopted.

HB 36, be concurred in. Report adopted. 6/27/86

LABOR AND EMPLOYMENT RELATIONS (Lynch, Chairman) 6/27/86

HB 32, third reading copy, be amended as follows:

1. Title, line 6.
Strike: "YEAR"
Insert: "YEARS"
Following: "~~THROUGH 1989~~"
Insert: "THROUGH 1989"

2. Page 3, line 10.
Strike: "1987"
Insert: "1989"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in and returned to the Senate: 6/27/86

SB 10, introduced by Towe

SB 15, introduced by Neuman

House bills passed and transmitted to the Senate for concurrence: 6/27/86

HB 35, introduced by Menahan

HB 45, introduced by Quilici

HB 51, introduced by Mercer

The House, on 6/27/86, acceded to the request of the Senate and returned HB 10 for further consideration.

HB 41, introduced by J.K. Moore, requiring adoption by a two-thirds vote of all the members of the Legislature, passed the House and transmitted to the Senate for concurrence with the following vote:

HOUSE OF REPRESENTATIVES

YEAS - 54
NAYS - 45

The House, on 6/27/86, failed to concur in Senate amendments to HB 30 and appointed a conference committee, requesting that the Senate appoint a conference committee to confer on Senate amendments to HB 30.

The Speaker appointed the following members:

Representative Bardanouve
Representative Quilici
Representative Nathe
Representative J.K. Moore

MOTIONS

Senator Van Valkenburg moved that the President be authorized to appoint a conference committee to meet with a committee from the House to confer on Senate amendments to HB 30. Motion carried unanimously.

The President appointed the following members:

Senator Regan, Chairman
Senator Jacobson
Senator Keating

Senator Van Valkenburg moved that HB 10 be placed on third reading this legislative day. Motion carried unanimously.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 10 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Blaylock, Neuman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 7.

FIRST READING OF BILLS

The following House bills were introduced, read first time, and referred to committees:

HB 35, introduced by Menahan, Quilici, J.K. Moore, Kitselman, Keating, Keenan, Devlin, Halligan, Shaw, Daniels. Referred to the Committee on Taxation.

HB 45, introduced by Quilici, Lory, Haffey, Harp, Gage, Manning, (By Request of the Department of Public Service Regulation). Referred to the Committee on State Administration.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 1 - Senator Blaylock moved that SJR 1 be moved to the bottom of the board. Motion carried unanimously.

HB 16 - That HB 16 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.

Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 47 - That HB 47 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 7 - That HB 7 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 21 - That HB 21 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 31 - Senator Regan moved that HB 31 be moved to the bottom of the board. Motion carried unanimously.

HB 36 - That HB 36 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Daniels, Neuman.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 3:05 p.m. Motion carried unanimously.

Senate recessed at 2:51 p.m.

Senate reconvened at 3:09 p.m.

REPORTS OF STANDING COMMITTEES

PUBLIC HEALTH, WELFARE AND SAFETY (Jacobson, Chairman) 6/27/86

HB 33, be concurred in. Report adopted.
HB 40, be concurred in. Report adopted.

STATE ADMINISTRATION (Haffey, Chairman) 6/27/86

HB 48, be concurred in. Report adopted.
HJR 3, be concurred in. Report adopted.
HB 45, third reading copy, be amended as follows:

1. Page 5, line 12.
Strike: "THIS"
Insert: "Section 4 of this"

And, as amended, be concurred in. Report adopted.

TAXATION (Towe, Chairman) 6/27/86

HB 38, be concurred in. Report adopted.
HB 39, third reading copy, be amended as follows:

1. Title, lines 16 through 18.
Following: "FUNDS;" on line 16
Strike: "REQUIRING SUBMISSION OF A RENEWABLE ENERGY AND CONSERVATION PLAN TO EACH GENERAL SESSION OF THE LEGISLATURE;"

2. Page 5, line 23 through line 20, page 6
Following: line 22
Strike: section 5 in its entirety
Renumber: subsequent sections

3. Page 7, line 2.
Following: "1987,"
Strike: "$143,000"
Insert: "$350,000"

4. Page 7, line 14.
Following: "~~Section~~"
Strike: "SECTIONS"
Insert: "Section"
Following: "~~is~~"
Strike: "AND 5 ARE"
Insert: "is"

5. Page 7, line 17.
Following: line 16
Strike: "SECTIONS"
Insert: "section"
Following: "4"
Strike: "AND 5"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bill not concurred in and returned to the Senate: 6/27/86

SB 18, introduced by Boylan

House bill passed and transmitted to the Senate for concurrence: 6/27/86

HB 14, introduced by Bardanouve

Senators Hager and McCallum excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 16 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, McCallum.
Total 2

Absent or not voting: None.
Total 0

HB 47 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, McCallum.
Total 2

Absent or not voting: None.
Total 0

HB 7 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Hager, McCallum.
Total 2

Absent or not voting: None.
Total 0

Senator Halligan excused at this time.

HB 21 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Hager, Halligan, McCallum.
Total 3

Absent or not voting: None.
Total 0

Senator Halligan present at this time.

HB 36 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Daniels, Neuman.
Total 2

Excused: Hager, McCallum.
Total 2

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 8.

Senator Hager present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 32 - That HB 32 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: McCallum.
Total 1

Absent or not voting: None.
Total 0

SJR 1 - That SJR 1, second reading copy, be amended as follows:

1. Page 2, line 8.
Following: "system"
Insert: ", with consideration given to making individual units specialty schools within the system"

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch,

Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: None.
Total 0

Excused: McCallum.
Total 1

Absent or not voting: None.
Total 0

That SJR 1, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Pinsoneault.
Total 1

Excused: McCallum.
Total 1

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

Senators Christiaens and Jacobson excused at this time.

HB 32 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Christiaens, Jacobson, McCallum.
Total 3

Absent or not voting: None.

Total 0

Senator Jacobson present at this time.

SJR 1 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 46

Noes: Pinsoneault, Shaw.
Total 2

Excused: Christiaens, McCallum.
Total 2

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 5.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments: 6/27/86

SB 14, introduced by Neuman

The House, on 6/27/86, acceded to the request of the Senate and authorized the Speaker to appoint a free conference committee to meet with a committee of the Senate to confer on House amendments to SB 9.

The Speaker appointed the following members:

Representative Harrington
Representative Spaeth
Representative Donaldson
Representative Eudaily

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:47 p.m.

Senate reconvened at 4:41 p.m.

Senators Christiaens and McCallum present at this time.

MOTIONS

Senator Goodover moved that the Senate reconsider its action in passing SJR 1 on third reading this legislative day. Senator Boylan moved the previous question. Senator Boylan's motion carried unanimously. Senator Goodover's motion failed as follows:

Ayes: Aklestad, Galt, Goodover, Hammond, Keating, Mohar, Pinsoneault, Shaw, Thayer.
Total 9

Noes: Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding,

Himsl, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Regan, Severson, Stephens, Stimatz, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 37

Excused: None.
Total 0

Absent or not voting: Christiaens, Hirsch, Smith, Story.
Total 4

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Galt in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 31 - That HB 31, third reading copy, be amended as follows:

1. Title, line 7.
Following: "1987"
Insert: ", WITH THE EXCEPTION OF CONTRACT PROFESSIONALS AND FACULTY COVERED BY BOARD OF REGENTS CONTRACTS; APPROPRIATING MONEY FOR SUCH EXCEPTED PAY INCREASES"

2. Page 14, line 14.
Following: line 13
Insert: "In addition, $1,946,525 general fund is appropriated for the fiscal year ending June 30, 1987, to grant fiscal 1987 pay increases for contract professionals and faculty covered by Board of Regents contracts."

Amendment failed as follows:

Ayes: Bengtson, Boylan, Brown, Crippen, Daniels, Eck, Haffey, Hager, Halligan, Jacobson, Keating, Kolstad, Lynch, Manning, Stephens, Story, Yellowtail, Mr. President.
Total 18

Noes: Aklestad, Anderson, Blaylock, Christiaens, Conover, Farrell, Fuller, Gage, Galt, Goodover, Hammond, Harding, Himsl, Hirsch, Lane, Lybeck, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams.
Total 32

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 31 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Weeding, Williams, Mr. President.
Total 37

Noes: Crippen, Daniels, Eck, Fuller, Haffey, Jacobson, Lynch, Manning, Mazurek, Stimatz, Yellowtail.
Total 11

Excused: None.
Total 0

Absent or not voting: Brown, Van Valkenburg.
Total 2

HB 33 - That HB 33 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 35

Noes: Daniels, Eck, Goodover, Haffey, Jacobson, Lynch, Mazurek, Regan, Stimatz, Towe, Yellowtail, Mr. President.
Total 12

Excused: None.
Total 0

Absent or not voting: Blaylock, Brown, Van Valkenburg.
Total 3

HB 40 - That HB 40 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 45 - That HB 45 be concurred in. Motion carried as follows:

Ayes: Anderson, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Weeding, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Boylan, Galt, Goodover, Hammond, Keating, Kolstad, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 16

Excused: None.
Total 0

Absent or not voting: Bengtson, Blaylock, Brown, Crippen, Hager, Lane, Van Valkenburg.
Total 7

HB 48 - That HB 48 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 3 - That HJR 3 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 38 - That HB 38 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 39 - That HB 39 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 11 - That HB 11 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, McCallum, Mohar, Neuman, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Mr. President.
Total 41

Noes: Christiaens, Daniels, Manning, Yellowtail.
Total 4

Excused: None.
Total 0

Absent or not voting: Blaylock, Brown, Conover, Pinsoneault, Van Valkenburg.
Total 5

SB 14 - That House amendments to SB 14 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: Blaylock, Brown, Van Valkenburg.
Total 3

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Galt moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 31 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 40

Noes: Daniels, Eck, Fuller, Haffey, Jacobson, Lynch, Manning, Mazurek, Stimatz, Yellowtail.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 33 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Gage, Galt, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Keating, Kolstad, Lane, Lybeck, Manning, McCallum, Mohar, Neuman, Pinsoneault, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Williams.
Total 37

Noes: Daniels, Eck, Goodover, Haffey, Jacobson, Lynch, Mazurek, Regan, Stimatz, Towe, Van Valkenburg, Yellowtail, Mr. President.
Total 13

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 40 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 49

Noes: Story.
Total 1

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 45 concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Crippen, Galt, Goodover, Hammond, Keating, Kolstad, McCallum, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 48 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HJR 3 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 38 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek,

McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 48

Noes: Van Valkenburg, Mr. President.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 39 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: Eck, Mohar.
Total 2

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 11 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Mr. President.
Total 40

Noes: Christiaens, Daniels, Haffey, Lynch, Manning, Mazurek, Neuman, Stimatz, Thayer, Yellowtail.
Total 10

Excused: None.
Total 0

Absent or not voting: None.
Total 0

MOTIONS

Senator Van Valkenburg moved that the President be authorized to appoint a free conference committee to meet with a committee from the House of Representatives to confer on House amendments to SB 14. Motion carried unanimously.

The President appointed the following members:

Senator Neumàn, Chairman

Senator Lynch
Senator McCallum

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., June 28, 1986.

Motion carried.

Senate adjourned at 6:33 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

TWELFTH LEGISLATIVE DAY

Helena, Montana
June 28, 1986

Senate Chambers
State Capitol

Senate convened at 9:09 a.m., President Norman presiding. Invocation by the Chaplain, Father Noonan. Pledge of Allegiance to the Flag.

Roll call. All members present. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the tenth legislative day, find the same to be correct.

Manning, Chairman

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 9:14 a.m.

Senate reconvened at 9:56 a.m.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman) 6/28/86
Correctly enrolled: SB 7.
Examined by the sponsor (Van Valkenburg) and found to be correct: SB 7.

Report adopted.

MESSAGES FROM THE OTHER HOUSE

The House, on 6/28/86, dissolved the conference committee on Senate amendments to HB 30 and authorized the Speaker to appoint a free conference committee.

The Speaker appointed the following members:

Representative Bardanouve
Representative Quilici
Representative J.K. Moore
Representative Nathe

The House, on 6/28/86, acceded to the request of the Senate and authorized the Speaker to appoint a free conference committee to meet with a committee from the Senate on House amendments to SB 14.

The Speaker appointed the following members:

Representative Bardanouve
Representative Harper
Representative Harp
Representative Sands

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman) 6/28/86
SB 24, do not pass.

Majority Committee members are:

Senator Brown
Senator Eck
Senator Halligan
Senator Lybeck
Senator Neuman
Senator Mazurek
Senator Towe

Senator Towe moved that the majority committee report be adopted. Senator Goodover made a substitute motion that the minority committee report be adopted.

SB 24, do pass.

Minority Committee members are:

Senator Goodover
Senator Hager
Senator Hirsch
Senator McCallum
Senator Severson

The substitute motion passed as follows:

Ayes: Aklestad, Anderson, Boylan, Conover, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Keating, Kolstad, Lane, McCallum, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding, Yellowtail.
Total 26

Noes: Bengtson, Blaylock, Brown, Christiaens, Daniels, Eck, Fuller, Halligan, Himsl, Jacobson, Lybeck, Lynch, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Mr. President.
Total 22

Excused: None.
Total 0

Absent or not voting: Haffey, Williams.
Total 2

The minority committee report was adopted.

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 14, introduced by Bardanouve, (By Request of the Department of Commerce). Referred to the Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 24 - That SB 24 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad,

Lane, Lynch, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams, Yellowtail.
Total 31

Noes: Blaylock, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Himsl, Lybeck, Manning, Mazurek, Mohar, Neuman, Regan, Towe, Van Valkenburg, Mr. President.
Total 18

Excused: None.
Total 0

Absent or not voting: Daniels.
Total 1

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 24 passed as follows:

Ayes: Aklestad, Anderson, Bengtson, Boylan, Crippen, Daniels, Farrell, Gage, Galt, Goodover, Hager, Hammond, Harding, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, McCallum, Pinsoneault, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Tveit, Weeding, Williams, Yellowtail.
Total 32

Noes: Blaylock, Brown, Christiaens, Conover, Eck, Fuller, Haffey, Halligan, Himsl, Lybeck, Manning, Mazurek, Mohar, Neuman, Regan, Towe, Van Valkenburg, Mr. President.
Total 18

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman) 6/28/86
HB 35, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

The House, on 6/28/86, failed to concur in Senate amendments to HB 45 and appointed a conference committee, requesting that the Senate appoint a committee to confer on Senate amendments to HB 45.

The Speaker appointed the following members:

Representative Quilici
Representative Raney
Representative Gilbert
Representative Switzer

MOTIONS

Senator Van Valkenburg moved that the conference committee on Senate amendments to HB 30 be dissolved and that the President be authorized to appoint a free conference committee to meet with a committee from the House to confer on HB 30. Motion carried unanimously.

The President appointed the following members:

Senator Regan
Senator Jacobson
Senator Keating

Senator Van Valkenburg moved that the President be authorized to appoint a conference committee to meet with a committee from the House to confer on Senate amendments to HB 45. Motion carried unanimously.

The President appointed the following members:

Senator Haffey, Chairman
Senator Manning
Senator Gage

Senator Van Valkenburg moved that the Senate recess until 1:00 p.m. Motion carried unanimously.

Senate recessed at 11:31 a.m.

Senate reconvened at 1:08 p.m.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 9
Report No. 1, June 28, 1986

Mr. President:

We, your Free Conference Committee on Senate Bill No. 9 met and considered:

Senate Bill No. 9

We recommend as follows:

That Senate Bill No. 9, reference copy, be amended as follows:

Strike: House amendments to Senate Bill No. 9, dated 6/25/86, in their entirety

1. Title, line 10.
Strike: "1986"
Insert: "1987"

2. Page 1, line 16.
Following: "~~years~~"
Insert: "and succeeding years"

3. Page 1, line 17.
Following: "~~years~~"
Insert: "and succeeding school years"

4. Page 1, line 21.
Strike: "$20,358"
Insert: "$20,158"

5. Page 1, line 23.

Strike: "$20,358"
Insert: "$20,158"

6. Page 1, line 24.
Strike: "$850.80"
Insert: "$842.50"

7. Page 2, line 4.
Strike: "$33,369"
Insert: "$33,042"

8. Page 2, line 4.
Strike: "$850.80"
Insert: "$842.50"

9. Page 2, line 7.
Strike: "$28,015"
Insert: "$27,741"

10. Page 2, line 8.
Strike: "$850.80"
Insert: "$842.50"

11. Page 2, line 13.
Strike: "$44,728"
Insert: "$44,290"

12. Page 2, line 13.
Strike: "$532.80"
Insert: "$527.60"

13. Page 2, line 21.
Strike: "$1,977"
Insert: "$1,957"

14. Page 2, line 22.
Strike: "$1.92"
Insert: "$1.90"

15. Page 2, line 25.
Strike: "$1,861"
Insert: "$1,843"

16. Page 3, line 1.
Strike: "$1.76"
Insert: "$1.74"

17. Page 3, line 5.
Strike: "$1,511"
Insert: "$1,496"

18. Page 3, line 15.
Following: "~~years~~"
Insert: "and succeeding years"

19. Page 3, line 16.
Following: "~~years~~"
Insert: "and succeeding school years"

20. Page 3, line 19.
Strike: "$115,982"
Insert: "$114,845"

21. Page 3, line 21.

Strike: "$4,833"
Insert: "$4,785"

22. Page 3, line 22.
Strike: "$26.36"
Insert: "$26.10"

23. Page 4, line 1.
Strike: "$4,411"
Insert: "$4,368"

24. Page 4, line 2.
Strike: "$26.36"
Insert: "$26.10"

25. Page 4, line 5.
Strike: "$2,829"
Insert: "$2,802"

26. Page 4, line 6.
Strike: "$4.41"
Insert: "$4.37"

27. Page 4, line 9.
Strike: "$2,388"
Insert: "$2,365"

28. Page 4, line 10.
Strike: "$2.42"
Insert: "$2.40"

29. Page 4, line 13.
Strike: "$2,146"
Insert: "$2,125"

30. Page 4, line 14.
Strike: "45"
Insert: "44"

31. Page 4, line 17.
Strike: "$2,012"
Insert: "$1,993"

32. Page 5, lines 1 through 5.
Strike: section 3 in its entirety
Renumber: subsequent section

And that this Free Conference Committee report be adopted.

For the Senate:

Van Valkenburg, Chairman
B. Brown

For the House:

Harrington
Eudaily
Donaldson
Spaeth

MESSAGES FROM THE OTHER HOUSE

Senate bills concurred in as amended and returned to the Senate for concurrence in House amendments: 6/28/86

SB 19, introduced by Christiaens

SB 20, introduced by McCallum

Free conference committee report adopted:

SB 9, free conference committee report

House bill passed and transmitted to the Senate for concurrence:

HB 49, introduced by Hannah

MOTIONS

Senator Van Valkenburg moved that the free conference committee on SB 9 be placed at the top of the board on second reading this legislative day. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 9 - That the free conference committee report on SB 9 be adopted. Motion carried as follows:

Ayes: Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Harding, Hirsch, Jacobson, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Stephens, Stimatz, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 32

Noes: Aklestad, Blaylock, Boylan, Daniels, Gage, Galt, Goodover, Hammond, Himsl, Lybeck, Pinsoneault, Severson, Shaw, Smith, Tveit, Williams.
Total 16

Excused: None.
Total 0

Absent or not voting: Keating, Story.
Total 2

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 9, free conference committee report, adopted as follows:

Ayes: Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Haffey, Hager, Halligan, Hirsch, Jacobson, Keating, Kolstad, Lane, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Regan, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 34

Noes: Aklestad, Blaylock, Boylan, Daniels, Gage, Galt, Goodover, Hammond, Harding, Himsl, Lybeck, Pinsoneault, Severson, Shaw, Smith, Williams.
Total 16

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 1:25 p.m.

Senate reconvened at 2:11 p.m.

MOTIONS

Senator Fuller moved that SB 13, as amended, be taken from the table in the Committee on Taxation and that it be placed on second reading this legislative day. Motion carried unanimously. The Committee on Taxation attached the following amendment to SB 13, introduced bill:

1. Title, line 7.
Following: "FOR"
Strike: "A 3-YEAR PERIOD BEGINNING IN"

2. Title, line 9.
Following: "DATE"
Strike: "AND"
Insert: ","

3. Title, line 10.
Following: "DATE"
Insert: ", AND A TERMINATION DATE"

4. Page 2, lines 12 and 13.
Following: "~~26%~~" on line 12
Strike: "5.28%"
Insert: "6%"
Following: "1987," on line 12
Strike: "13.3% from July 1, 1987, until July 1, 1989,"

5. Page 5, line 24.
Following: "date"
Insert: "— applicability — termination"

6. Page 6, line 1.
Following: page 5, line 25
Strike: "on or after"
Insert: "from"
Following: "1986"
Insert: ", to March 31, 1987"
Following: "."
Insert: "This act terminates on June 30, 1987."

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 35 - That HB 35 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 13 - That SB 13, first reading copy, be amended as follows:

1. Title, line 7.
Following: "THE"
Strike: "GENERAL FUND"
Insert: "SCHOOL FOUNDATION PROGRAM"

2. Page 2, line 16.
Following: "(c)"
Insert: "30% until July 1, 1987, and thereafter"

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That SB 13, as amended, do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Brown, Christiaens, Conover, Crippen, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan,

Hammond, Harding, Himsl, Hirsch, Lane, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Shaw, Stephens, Story, Thayer, Van Valkenburg, Mr. President.
Total 31

Noes: Blaylock, Eck, Gage, Jacobson, Keating, Kolstad, Lybeck, Lynch, Mohar, Smith, Stimatz, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 16

Excused: None.
Total 0

Absent or not voting: Boylan, Daniels, Severson.
Total 3

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 35 concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 13 passed as follows:

Ayes: Bengtson, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Farrell, Fuller, Galt, Goodover, Haffey, Hager, Halligan, Harding, Himsl, Hirsch, Lane, Manning, Mazurek, McCallum, Neuman, Pinsoneault, Regan, Severson, Shaw, Stephens, Story, Thayer, Van Valkenburg, Mr. President.
Total 31

Noes: Aklestad, Anderson, Blaylock, Eck, Gage, Hammond, Jacobson, Keating, Kolstad, Lybeck, Lynch, Mohar, Smith, Stimatz, Towe, Tveit, Weeding, Williams, Yellowtail.
Total 19

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

COMMITTEES (Jacobson, Chairman) 6/28/86

MR. PRESIDENT:

We the Committee on Committees met this day and appointed a committee consistent with the provisions of HB 36.

The Committee on Committees appointed:

Senator Regan Senator Stephens

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 19 - That House amendments to SB 19 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 20 - That House amendments to SB 20 be not concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 19, House amendments, concurred in as follows:

Ayes: Aklestad, Anderson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Neuman, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Bengtson, Goodover, Shaw.
Total 3

Excused: None.
Total 0

Absent or not voting: Daniels, Jacobson, Keating, Lynch, McCallum, Regan.
Total 6

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the President be authorized to appoint a conference committee to meet with a committee from the House to confer on House amendments to SB 20. Motion carried unanimously.

The President appointed the following members:

Senator Mazurek, Chairman
Senator McCallum
Senator Boylan

Senator Van Valkenburg moved that the Senate recess until 3:30 p.m. Motion carried unanimously.

Senate recessed at 2:50 p.m.

Senate reconvened at 3:36 p.m.

MESSAGES FROM THE OTHER HOUSE

Senate amendments to House bills concurred in: 6/28/86

HB 11, introduced by Manuel

HB 31, introduced by Spaeth

HB 32, introduced by Wallin

HB 39, introduced by Peck

House bill passed and transmitted to the Senate for concurrence: 6/28/86

HB 44, introduced by Keenan

SB 22, introduced by Blaylock, a vote of two-thirds of the members of each house of the Legislature, concurred in as amended and returned to the Senate with the following vote:

HOUSE OF REPRESENTATIVES

YEAS - 85
NAYS - 8

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:41 p.m.

Senate reconvened at 5:48 p.m.

REPORTS OF STANDING COMMITTEES

JUDICIARY (Mazurek, Chairman) 6/28/86

HB 46, third reading copy, be amended as follows:

1. Title, line 10.
Following: "EXAMINE"
Insert: ", EXCEPT PROTECTED INDIVIDUAL INCOME TAX RECORDS"

2. Title, line 13.
Following: "~~LAW~~"
Insert: "MAY NOT DISCLOSE INFORMATION OBTAINED IN ITS INVESTIGATIONS WHEN PUBLICATION IS PROHIBITED BY LAW AND"

3. Page 2, line 3.
Following: "~~disclosure.~~"
Insert: "This section does not authorize publication or public disclosure of information if the law prohibits such publication or disclosure. The legislative fiscal analyst may not obtain copies of individual income tax records protected under 15-30-303. The department of revenue shall make individual income tax data available by a masking method that conceals the identity of the taxpayer. The masking method may not destroy the statistical integrity of the individual income tax records. The masking method, including how data is masked, must be disclosed to the legislative fiscal analyst."

And, as amended, be concurred in. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 30
Report No. 1, June 28, 1986

Mr. President:

We, your Free Conference Committee on House Bill No. 30, met and considered:

House Bill No. 30

We recommend as follows:

That House Bill No. 30, pink copy, be amended as follows:

1. Page 25, line 10.
Following: "RECOVERY"
Insert: ", provided the Department shall hold timely public hearings prior to closing any state store or agency and prior to implementing a price restructuring"

2. Page 25.
Following: line 15
Insert: "The Department may, through the use of program transfer authority, fund the 7 FTE deleted from the Income Tax Division by House Committee of the Whole Amendment during Special Session III."

3. Page 55.
Following: line 21
Insert: "If HB 45 of Special Session III passes, the fiscal year 1987 general fund appropriation in item 1 is reduced to zero and $1,637,319 of State Special Revenue is appropriated."

4. Page 78.
Following: line 15
Insert: "If HB 36 of Special Session III is approved, the Montana Youth Treatment Center's fiscal year 1987 General Fund appropriation is reduced by $1,259,537 based on a projected sale of the Center on December 1, 1986. Should the sale not occur, or if the sale is delayed beyond December 1, 1986, the Department is authorized to request a supplemental to continue the Center's operation. Contained within the reduced appropriation is $33,000 to cover expenses directly related to the sale of the Center as required by HB 36, including employee relocation, advertising, and review committee expenses. Any remaining balance not expended on such expenses shall revert to the General Fund."

5. Page 100, line 7.
Following: "~~PAYMENTS.~~"
Insert: "The Commissioner of Higher Education shall notify students applying for WICHE, WAMI, and Minnesota Rural Dentistry programs for fiscal year 1988 that the 1987 Legislature may enact a requirement that will require entering students to pay back a percentage of their support fees to the state."

Amend Senate Committee of the Whole Amendment dated 6/25/86, 2:55 p.m., sponsored by Hammond, as follows:

Strike: the amendment in its entirety

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Regan, Chairman	Bardanouve
Jacobson	Quilici
Keating	J.K. Moore
	Nathe

Conference Committee
on House Bill No. 45
Report No. 1, June 28, 1986

Mr. President:

We, your Conference Committee on House Bill No. 45 met and considered:

Senate amendments to House Bill No. 45

We recommend as follows:

That House Bill No. 45, reference copy, be amended as follows:

Strike: Senate State Administration Committee amendments, dated 6/27/86, in their entirety

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Haffey, Chairman	Quilici
Manning	Raney
Gage	Gilbert
	Switzer

MESSAGES FROM THE OTHER HOUSE

Senate amendments to House bill concurred in: 6/28/86

HB 37, introduced by Cobb

The House, on 6/28/86, appointed a free conference committee to meet with a committee from the Senate to confer on SB 20.

The Speaker appointed the following members:

Representative Keenan
Representative Schye
Representative Swift
Representative Mercer

MOTIONS

Senator Van Valkenburg moved that the conference committee on House amendments to SB 20 be dissolved and that the President be authorized to appoint a free conference committee to meet with a committee from the House to confer on House amendments to SB 20. Motion carried unanimously.

The President appointed the following members:

Senator Mazurek
Senator Boylan
Senator McCallum

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 44, introduced by Keenan, Towe, Hager, Ramirez, M. Williams, (By Request of the Revenue Oversight Committee). Referred to the Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 30 - That the free conference committee report on HB 30 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 45 - That the conference committee report on HB 45 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 46 - That HB 46 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

SB 22 - That House amendments to SB 22 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

Senators Haffey, Lynch, McCallum, and Neuman excused at this time.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 30, free conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Hager, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Goodover, Hammond, Shaw.
Total 3

Excused: Haffey, Lynch, McCallum, Neuman.
Total 4

Absent or not voting: None.
Total 0

Senator Haffey present at this time.

HB 45, conference committee report, adopted as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Smith, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 42

Noes: Goodover, Kolstad, Severson, Shaw, Stephens.

Total 5

Excused: Lynch, McCallum, Neuman.
Total 3

Absent or not voting: None.
Total 0

Senators Lynch and Neuman present at this time.

HB 46, concurred in as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Conover, Crippen, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Mazurek, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 44

Noes: Boylan, Christiaens, Daniels, Manning.
Total 4

Excused: McCallum.
Total 1

Absent or not voting: Eck.
Total 1

Senator McCallum present at this time.

SB 22, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Eck, Farrell, Fuller, Gage, Galt, Goodover, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Aklestad, Daniels, Haffey, Regan, Shaw, Smith, Tveit.
Total 7

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 2.

REPORTS OF STANDING COMMITTEES

TAXATION (Towe, Chairman) 6/28/86

SB 17, introduced bill, be amended as follows:

1. Title, lines 6 and 7.
Following: "PROVIDING" on line 6
Strike: "AN IMMEDIATE EFFECTIVE DATE AND"

2. Page 1, line 11.
Following: "Quarterly"
Strike: "<u>, monthly, or bimonthly</u>"

Insert: "or weekly"

3. Page 1, line 12.
Following: "(1)"
Strike: "On"
Insert: "Except as provided in subsection (4), on"

4. Page 1, line 12.
Following: "of"
Strike: "each month"
Insert: "April, July, October, and January"

5. Page 1, lines 13 and 14.
Following: "15-30-203"
Strike: ", except as provided in subsections (2) through (4),"
Insert: "whose total liability for withholding income taxes did not exceed $600,000 for the preceding calendar year"

6. Page 1, line 18.
Following: "preceding"
Strike: "month"
Insert: "quarter"

7. Page 1, line 19.
Following: "(2)"
Strike: "(a)"

8. Page 1, line 20.
Following: "whose"
Strike: "projected"

9. Page 1, line 21.
Following: "withholdings"
Strike: "usually equals or exceeds $50,000 in one month"
Insert: "equalled or exceeded $600,000 for the preceding calendar year"

10. Page 1, lines 22 and 23.
Following: "file" on line 22
Strike: ", in lieu of the return and payment required under subsection (1),"

11. Page 1, line 23.
Following: "a"
Insert: "weekly"

12. Page 2, line 3.
Following: line 2
Strike: "(b)"
Insert: "(3)"
Following: "The"
Strike: "report"
Insert: "return"
Following: "(2)"
Strike: "(a)"

13. Page 2, lines 4 through 6.
Following: "be" on line 4
Strike: "filed"
Insert: "submitted"
Following: "the" on line 4
Strike: remainder of subsection (b)

Insert: "date on which federal income tax weekly withholding payments are due, unless a different date is specified by the department."

14. Page 2, lines 7 through 24.
Following: line 6
Strike: subsections (2)(c) and (3) in their entirety

15. Page 3, line 3.
Following: "~~quarterly~~"
Strike: "monthly"
Insert: "quarterly"

16. Page 3, line 4.
Following: "~~quarterly~~"
Strike: "monthly"
Insert: "quarterly"

17. Page 3, line 5.
Following: "~~quarterly~~"
Insert: "quarterly"

18. Page 3, line 6.
Following: "(1)"
Strike: ", (2), or (3)"

19. Page 3, lines 21 through 23.
Following: "3." on line 21
Strike: "Effective date — applicability"
Insert: "Applicability"
Following: "act" on line 22
Strike: "is effective on passage and approval and"

20. Page 3, line 24.
Following: line 23
Strike: "August 1, 1986"
Insert: "April 1, 1987"

And, as amended, do pass. Report adopted.

HB 14, third reading copy, be amended as follows:

1. Title, line 7.
Following: "PROGRAM;"
Insert: "PROVIDING A CONTINGENT APPROPRIATION FROM THE GENERAL FUND TO THE LOCAL GOVERNMENT BLOCK GRANT ACCOUNT;"

2. Page 8.
Following: line 21
Insert: "NEW SECTION. Section 8. Appropriation. There is appropriated $7 million from the general fund to the local government block grant account for fiscal year 1987."
Renumber: subsequent section

3. Page 8, line 22.
Following: "date"
Strike: ". This act is"
Insert: "— coordination. (1) Sections 1 through 7 and this section are"

4. Page 8.
Following: line 23

Insert: "(2) Section 8 of this act is effective only if Senate Bill 17 is passed and approved."

And, as amended, be concurred in. Report adopted.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Halligan in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 17 - That SB 17 do pass. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 45

Noes: Boylan, Gage, Galt, Neuman, Thayer.
Total 5

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 14 - That HB 14, third reading copy, be amended as follows:

Amend Senate Taxation Standing Committee Report, dated 6/28/86, as follows:

1. Amendment No. 2.
Following: "appropriated" in the insert instruction
Strike: "$7"
Insert: "$6.5"

Amendment carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

That HB 14, as amended, be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Hager, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 50

Noes: None.
Total 0

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Halligan moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 7:00 p.m. Motion carried unanimously.

Senate recessed at 6:32 p.m.

Senate reconvened at 8:07 p.m.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., June 30, 1986.

Motion carried.

Senate adjourned at 8:10 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
June 30, 1986

Senate Chambers
State Capitol

Senate convened at 9:04 a.m., President Norman presiding. Invocation by the Chaplain, Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Boylan, Brown, Hager, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the eleventh legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman) 6/30/86
Correctly enrolled: SB 8, SB 10, SB 15.
Examined by the sponsor (McCallum) and found to be correct: SB 8.
Examined by the sponsor (Towe) and found to be correct: SB 10.
Examined by the sponsor (Neuman) and found to be correct: SB 15.
Signed by the President at 11:30 a.m., 6/30/86: SB 7, SB 8, SB 10, SB 15, HB 2, HB 16, HB 22, HB 23, HB 24, HB 25, HB 26, HB 31, HB 33, HB 47.

Report adopted.

LEGISLATIVE ADMINISTRATION (Blaylock, Chairman) 6/30/86
Recommend that the following attaches be terminated by the Senate for the 49th Legislature, Special Session III, as of June 28, 1986:

Joe Wetzsteon ..... Page
Brett Stanley ..... Page
Melinda Wellman ..... Page
Scott Sager ..... Page
Tana Toren ..... Page
Tammy Trudeau ..... Page
Dennis Small ..... Security/Doorman

Recommend that the following attaches be hired by the Senate for the 49th Legislature, Special Session III:

Laurel Smith ..... Page
Cyndie Simic ..... Page
Mike Andrews ..... Page
Lisa Strope ..... Page

Report adopted.

TAXATION (Towe, Chairman) 6/28/86
HB 44, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate: 6/28/86

SJR 1, introduced by Jacobson

Free conference committee report rejected: 6/28/86

SB 14, free conference committee report

SB 24, introduced by Keating and requiring adoption by a two-thirds vote of all the members of the Legislature, failed to meet the two-thirds requirement: 6/30/86

HOUSE OF REPRESENTATIVES

Ayes - 54
Nays - 43

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 44 - That HB 44 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Christiaens, Conover, Eck, Fuller, Galt, Haffey, Halligan, Hammond, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 29

Noes: Aklestad, Crippen, Farrell, Gage, Goodover, Harding, Keating, Kolstad, McCallum, Neuman, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 16

Excused: Boylan, Brown, Hager.
Total 3

Absent or not voting: Daniels, Lynch.
Total 2

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 9:26 a.m.

Senate reconvened at 10:49 a.m.

Senator Boylan present at this time.

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of

the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 30th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 30th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the State of Montana currently has a budget crisis; and

WHEREAS, the call for a special session issued by the Governor limits the revenues to be raised by the special session beginning June 16, 1986; and

WHEREAS, the current $1,500 state license fee on electronic poker machines is difficult for small bars in sparsely populated areas to pay and people in those areas are thus often denied access to electronic poker machines; and

WHEREAS, taxation of poker machines proceeds can help solve the budget crisis without unduly lowering profits of machine owners and licensed establishments; and

WHEREAS, such a tax would be in line with a permanent, rather than temporary, approach to balanced budgets; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation to levy a percentage net income (gross receipts less cash payouts) tax on the gross receipts of electronic poker machines in lieu of the $1,500 state license fee.

Members of the 49th Legislature:

Towe	Halligan
Mohar	Conover
Weeding	Lane
B. Williams	Yellowtail
Hirsch	Christiaens

Blaylock
Pinsoneault
Ellerd
Thoft
O'Hara
Wallin
Peck
Brandewie
Eudaily
Lory
Thomas
Peterson
Ellison
Marks
Devlin
Gilbert
Miller
Nelson
Tveit
Neill
Keller
Thayer
Hansen
Veleber
Koehnke
Hand
Stang
C. Smith
Cody
Keating
Keenan
Schye
Harbin
Lybeck
Donaldson
Harper
Compton
Schultz
Mercer
Kitselman
Asay
Sands
Ernst
Hayne
Simon
Ramirez
Hanson
Winslow
Grady
Rehberg
Nathe
Cobb
Sales
Switzer
Connelly
Ream
Kadas
J. Brown
Patterson
Harp
Story
J. Moore
Eck
Addy
Poff

MESSAGES FROM THE OTHER HOUSE

Senate amendment to House bill concurred in: 6/30/86

HB 46, introduced by Winslow

Conference committee report adopted: 6/30/86

HB 45, conference committee report

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 11:30 a.m. Motion carried unanimously.

Senate recessed at 10:55 a.m.

Senate reconvened at 11:42 a.m.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 20
Report No. 1, June 30, 1986

Mr. President:

We, your Free Conference Committee on Senate Bill No. 20, met and considered:

Senate Bill No. 20

We recommend as follows:

Amend House Committee of the Whole amendments as follows:

a. Strike: amendment dated 6/28/86, 7:58 a.m., sponsored by Swift, and amendment dated 6/28/86, 8:00 a.m., sponsored by Cobb, in their entirety.

b. Amend House Committee of the Whole amendment dated 6/28/86, 7:45 a.m., sponsored by Mercer, as follows:

1. Amendment No. 1, location line.
Following: "THROUGH"
Strike: "13"
Insert: "11"

2. Amendment No. 1, Strike line.
Following: "THROUGH"
Strike: "LAWS"
Insert: "MORE;"

3. Amendment No. 1.
Following: Insert instruction
Insert: "Following: "CLASS" on line 11"
Strike: "NINETEEN"
Insert: "EIGHTEEN"

4. Amendment No. 2, Insert line.
Following: "SECTIONS"
Insert: "15-6-144,"
Following: "15-7-202"
Insert: ","

5. Amendment No. 3, line 3 of Insert instruction.
Following: "(1) Contiguous"
Strike: "or noncontiguous"

6. Amendment No. 3, Insert section.
Following: subsection (6)
Insert: "Section 2. Section 15-6-144, MCA, is amended to read:

"15-6-144. Class fourteen property — description — taxable percentage. (1) Class fourteen property includes all improvements on ~~agricultural~~ land that is eligible for valuation, assessment, and taxation as agricultural land under~~, as defined in~~ 15-7-202(2). Class fourteen property includes 1 acre of real property beneath the agricultural improvements. The 1 acre shall be valued at market value.

(2) Class fourteen property is taxed at 80% of the taxable percentage applicable to class four property.""

That SB 20, third reading copy, be amended as follows:

a. Page 12, line 23.
Following: "SECTIONS"
Strike: "1 THROUGH"
Following: "3"
Insert: "and 4"

b. Page 12, line 25.
Following: "SECTIONS"
Strike: "1 THROUGH"

Following: "3"
Insert: "and 4"

c. Page 13, line 6.
Following: "APPRAISAL"
Insert: ", whichever is later"

d. Page 13.
Following: line 6
Insert: "NEW SECTION. Section 8. Land valued in excess of average county land value — renotification to taxpayer. For persons paying taxes on real property containing more than 5 acres but less than 20 acres, the department of revenue shall notify each taxpayer whose land value for 1986 due to reclassification to class four by application of 15-7-202 exceeds the average value per acre for such land in the taxpayer's county. The new notice must fully inform the taxpayer as to the reasons for the new notice, including the cause of the increase in value, the right to appeal to the county tax appeal board, and the extension of time for appeal."
Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Mazurek, Chairman	Schye
McCallum	Mercer
Boylan	Keenan
	Swift

MESSAGES FROM THE OTHER HOUSE

Conference committee report rejected: 6/30/86

HB 30, free conference committee report

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 20 - That the free conference committee report No. 1 on SB 20 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Blaylock, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Stephens, Stimatz, Story, Thayer, Towe, Van Valkenburg, Weeding, Yellowtail, Mr. President.
Total 39

Noes: Bengtson, Boylan, Christiaens, Goodover, Halligan, Shaw, Smith, Tveit, Williams.
Total 9

Excused: Brown, Hager.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

Senator Van Valkenburg moved that the Senate recess until 1:45 p.m. Motion carried unanimously.

Senate recessed at 12:15 p.m.

Senate reconvened at 1:55 p.m.

Senator Goodover excused at this time.

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 2:00 p.m.

Senate reconvened at 3:09 p.m.

MESSAGES FROM THE OTHER HOUSE

House bill passed and transmitted to the Senate for further consideration: 6/30/86

HB 35, introduced by Menahan

Free conference committee reports adopted: 6/30/86

SB 20, free conference committee report No. 2

HB 30, free conference committee report

MOTIONS

Senator Mazurek moved that the Senate reconsider its action in adopting the free conference committee report No. 1 on SB 20 on second reading this legislative day. Motion carried unanimously.

Senator Van Valkenburg moved that HB 35 be taken from the President's office and that it be placed on second reading this legislative day. Motion carried unanimously.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 3.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 20
Report No. 2, June 30, 1986

Mr. President:

We, your Free Conference Committee on Senate Bill No. 20, met and considered:

Senate Bill No. 20,
House Taxation Committee amendments, dated 6/28/86
Committee of the Whole amendments, dated 6/28/86:
Mercer, 7:45 a.m.
Swift, 7:58 a.m.
Cobb, 8:00 a.m.

We recommend as follows:

That Senate Bill No. 20, reference copy, be amended as follows:

1. Title, line 13.
Following: "LAWS"
Insert: "TO ESTABLISH A NEW CLASS EIGHTEEN PROPERTY FOR REAL PROPERTY CONTAINING LESS THAN 20 ACRES AND THAT IS RENDERED NONPRODUCTIVE BY LAND USE LAWS;"

2. Title, line 17.
Strike: "15-6-134"
Insert: "15-6-144"

3. Page 6, line 17 through line 3, page 11.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 13, line 5.
Strike: "or noncontiguous"

5. Page 14.
Following: line 21
Insert: "Section 2. Section 15-6-144, MCA, is amended to read:

"15-6-144. Class fourteen property — description — taxable percentage. (1) Class fourteen property includes all improvements on ~~agricultural~~ land that is eligible for valuation, assessment, and taxation as agricultural land under~~, as defined in~~ 15-7-202(2). Class fourteen property includes 1 acre of real property beneath the agricultural improvements. The 1 acre shall be valued at market value.

(2) Class fourteen property is taxed at 80% of the taxable percentage applicable to class four property.""
Renumber: subsequent sections

6. Page 17, lines 8 and 24.
Strike: "SECTION 3"
Insert: "Sections 1 and 2"

7. Page 19, line 15.
Following: "APPRAISAL"
Insert: ", whichever is later"

8. Page 19.
Following: line 15
Insert: "NEW SECTION. Section 8. Land valued in excess of average county land value — renotification to taxpayer. For persons paying taxes on real property containing more than 5 acres but less than 20 acres, the department of revenue shall notify each taxpayer whose land value for 1986 due to reclassification to class four by application of 15-7-202 exceeds the average value per acre for such land in the taxpayer's county. The new notice must fully inform the taxpayer as to the reasons for the new notice, including the cause of the increase in value, the right to appeal to the county tax appeal board, and the extension of time for appeal."
Renumber: subsequent sections

And that this Free Conference Committee report No. 2 be adopted.

For the Senate: For the House:

Mazurek, Chairman
McCallum
Boylan
Schye
Mercer
Keenan
Swift

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 35 - That HB 35 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Brown, Goodover, Hager.
Total 3

Absent or not voting: None.
Total 0

SB 20 - That the free conference committee report No. 2 on SB 20 be adopted. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Brown, Goodover, Hager.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:26 p.m.

Senate reconvened at 3:48 p.m.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 3:51 p.m.

Senate reconvened at 4:27 p.m.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, MT. 59620

June 30, 1986

Dear President Norman:

This is to inform you that I have signed Senate Bills No. 2 and 3 on this date.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 4:31 p.m.

Senate reconvened at 6:05 p.m.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

Senate bill concurred in as amended and returned to the Senate for concurrence in House amendments:

SB 13, introduced by Eck

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 7:00 p.m. Motion carried unanimously.

Senate recessed at 6:10 p.m.

Senate reconvened at 7:06 p.m.

President Pro Tempore Blaylock in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Haffey in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 13 - That House amendments to SB 13 be concurred in. Motion carried as follows:

Ayes: Aklestad, Anderson, Bengtson, Blaylock, Boylan, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 47

Noes: None.
Total 0

Excused: Brown, Goodover, Hager.
Total 3

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President Pro Tempore in the Chair. Chairman Haffey moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

At the request of Senator Van Valkenburg, and without objection, the Chair ruled that the recorded votes on third reading be held open until July 1, 1986, at 9:30 a.m. in order for the members of the Senate not present to register their votes.

The following bills having been read three several times, title and history agreed to, were voted on in the following manner:

SB 20, free conference committee report No. 2, voted on as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Conover, Crippen, Daniels, Farrell, Galt, Haffey, Hammond, Harding, Jacobson, Kolstad, Lybeck, Lynch, Manning, McCallum, Pinsoneault, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Noes: Goodover.

Paired: Crippen, Aye; Goodover, No.

Excused: Aklestad, Hager.

HB 35 voted on as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Conover, Crippen, Daniels, Farrell, Gage, Galt, Haffey, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, McCallum, Pinsoneault, Severson, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Noes: None.

Excused: Aklestad, Hager.

HB 44 voted on as follows:

Ayes: Anderson, Blaylock, Brown, Conover, Daniels, Galt, Haffey, Himsl, Jacobson, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Severson, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Noes: Aklestad, Bengtson, Boylan, Crippen, Farrell, Gage, Hager, Hammond, Harding, Goodover, Keating, Kolstad, McCallum, Smith, Stephens, Story, Thayer, Tveit.

Paired: Brown, Jacobson, Lynch, Mazurek, Ayes; Aklestad, Crippen, Hager, Goodover, Noes.

Excused: None.

SB 13, House amendments, voted on as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Conover, Crippen, Daniels, Farrell, Gage, Galt, Haffey, Hammond, Harding, Himsl, Jacobson, Keating, Kolstad, Lybeck, Lynch, Manning, McCallum, Pinsoneault, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.

Noes: None.

Excused: Aklestad, Hager.

Senator Van Valkenburg moved that the Senate adjourn until 9:00 a.m., July 1, 1986.

Motion carried.

Senate adjourned at 7:19 p.m.

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
July 1, 1986

Senate Chambers
State Capitol

Senate convened at 9:03 a.m., President Norman presiding. Invocation by Pastor Monsen. Pledge of Allegiance to the Flag.

Roll call. All members present except Aklestad, Hager, Towe, excused. Quorum present.

Mr. President: We, your Committee on Bills and Journal, having examined the daily journal for the twelfth legislative day, find the same to be correct.

Manning, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman) 6/30/86
Correctly enrolled: SB 9.
Examined by the sponsor (Van Valkenburg) and found to be correct: SB 9.
Signed by the President at 5:30 p.m., 6/30/86: SB 9, HB 39.
Signed by the President at 7:20 p.m., 6/30/86: HB 30.
Delivered to the Governor for his approval at 6:15 p.m., 6/30/86: SB 9.

Report adopted.

THIRD READING OF BILLS

The President announced that the following Senators cast aye and nay votes for those votes left open from the previous legislative day:

SB 20, free conference committee report No. 2, voted on as follows:

Ayes: Brown, Christiaens, Eck, Fuller, Gage, Himsl, Hirsch, Keating, Lane, Mazurek, Mohar, Neuman, Regan, Severson, Shaw, Smith, Thayer.

Noes: Halligan.

Excused: Aklestad.

Together with the third reading vote cast on the thirteenth legislative day, SB 20, free conference committee report No. 2, was disposed of as follows:

Total Ayes: 46

Total Noes: 2

Total Excused: 2

Total Absent or not voting: 0

HB 35 voted on as follows:

Ayes: Brown, Christiaens, Eck, Fuller, Goodover, Halligan, Hirsch, Lane, Mazurek, Mohar, Neuman, Regan, Shaw, Smith.

Noes: None.

Excused: Aklestad.

Together with the third reading vote cast on the thirteenth legislative day, HB 35 was disposed of as follows:

Total Ayes: 48

Total Noes: 0

Total Excused: 2

Total Absent or not voting: 0

HB 44 voted on as follows:

Ayes: Christiaens, Eck, Fuller, Halligan, Hirsch, Lane, Mohar, Neuman, Regan.

Noes: Shaw.

Together with the third reading vote cast on the thirteenth legislative day, HB 44 was disposed of as follows:

Total Ayes: 31

Total Noes: 19

Total Excused: 0

Total Absent or not voting: 0

SB 13, House amendments, voted on as follows:

Ayes: Brown, Christiaens, Eck, Fuller, Goodover, Halligan, Hirsch, Lane, Mazurek, Mohar, Neuman, Regan, Shaw.

Together with the third reading vote cast on the thirteenth legislative day, House amendments to SB 13 were disposed of as follows:

Total Ayes: 48

Total Noes: 0

Total Excused: 2

Total Absent or not voting: 0

MESSAGES FROM THE GOVERNOR

The Honorable William Norman
President of the Senate
State Capitol
Helena, MT. 59620

June 30, 1986

Dear President Norman:

This is to inform you that I signed Senate Bill No. 9 at 11:40 p.m. on this date.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 9:18 a.m.

Senate reconvened at 9:59 a.m.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 11:30 a.m. Motion carried unanimously.

Senate recessed at 10:01 a.m.

Senate reconvened at 11:30 a.m.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 14
Report No. 2, July 1, 1986

Mr. President:

We, your Free Conference Committee on Senate Bill No. 14, met and considered:

Senate Bill No. 14

We recommend as follows:

That House Amendments to SB 14 be amended as follows:

Strike: House Committee of the Whole Amendment dated 6/27/86, 12:55 a.m., sponsored by Winslow, in its entirety.

That SB 14, third reading copy, be amended as follows:

1. Title, line 11.
Following: "BY"
Strike: "5"
Insert: "3"

2. Page 2, line 9.
Following: "~~15~~"
Strike: "20"
Insert: "18"

And that this Free Conference Committee Report No. 2 be adopted.

For the Senate:	For the House:
Neuman	Bardanouve
	Harper
McCallum	Harp

Senator Towe present at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Himsl in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 14 - That the free conference committee report No. 2 on SB 14 be adopted. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Eck, Farrell, Fuller, Haffey, Halligan, Himsl, Hirsch, Jacobson, Lane, Lybeck, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Story, Thayer, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 31

Noes: Anderson, Boylan, Crippen, Daniels, Gage, Galt, Goodover, Hammond, Harding, Keating, Kolstad, Lynch, Shaw, Smith, Stephens, Stimatz, Tveit.
Total 17

Excused: Aklestad, Hager.
Total 2

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Himsl moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate reconsider its action in passing SB 17 on the twelfth legislative day, and that SB 17 be taken from third reading and placed on second reading this legislative day. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Himsl in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 17 - That SB 17, second reading copy, be amended as follows:

1. Page 1, line 12.
Following: "SUBSECTION"
Strike: "(4)"
Insert: "(3)"

2. Page 1, lines 16 through 18.
Following: "~~(4),~~" on line 16
Strike: remainder of line 16 through "YEAR" on line 18

3. Page 1, line 20.
Following: "and"
Insert: ", except as provided in subsection (2),"

4. Page 1, line 22.
Following: "QUARTER."
Insert: "Quarterly returns for employers paying weekly shall be used to summarize and adjust payments and request refunds of overpayments."

5. Page 2, line 2.
Following: "shall"
Strike: "file"
Insert: "remit"

6. Page 2, lines 3 and 4.
Following: "WEEKLY" on line 3

Strike: remainder of line 3 through "by" on line 4
Insert: "payment to"

7. Page 2, line 5.
Following: "department"
Strike: "and shall pay therewith"
Insert: "for"

8. Page 2, line 7.
Following: "preceding"
Strike: "reporting period"
Insert: "week"

9. Page 2, lines 8 and 9.
Following: "~~(b)~~" on line 8
Strike: "(3)"
Following: "~~report~~" on line 8
Strike: "RETURN required in subsection (2)~~(a)~~ and the accompanying"
Insert: "weekly"
Renumber: subsequent subsections

10. Page 2, line 13.
Following: "DUE"
Strike: ", UNLESS A DIFFERENT DATE IS SPECIFIED BY THE DEPARTMENT"

Amendment carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad, Hager.
Total 2

Absent or not voting: None.
Total 0

That SB 17, as amended, do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, Mohar, Pinsoneault, Regan, Severson, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 34

Noes: Anderson, Boylan, Galt, Goodover, Hammond, Keating, McCallum, Neuman, Shaw, Smith, Stephens, Story, Thayer, Tveit.
Total 14

Excused: Aklestad, Hager.
Total 2

Absent or not voting: None.

Total 0

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Himsl moved the adoption of the committee report. Report adopted.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 1:15 p.m. Motion carried unanimously.

Senate recessed at 11:50 a.m.

Senate reconvened at 1:25 p.m.

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman) 7/1/86

Signed by the President at 10:30 a.m., 7/1/86: HB 7, HB 10, HB 11, HB 32, HB 36, HB 37, HB 38, HB 40, HB 45, HB 46, HB 48, HJR 3.

Delivered to the Governor for his approval at 10:30 a.m., 7/1/86: SB 7, SB 8, SB 10, SB 15.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 1:29 p.m.

Senate reconvened at 2:16 p.m.

MOTIONS

Senator Mazurek moved that the Senate reconsider its action in adopting the free conference committee report No. 2 on SB 20 on the thirteenth legislative day and that the free conference committee report No. 3 be placed on second reading this legislative day. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate reconsider its action in passing SB 17 this legislative day, and that SB 17 be taken from third reading and placed on second reading this legislative day. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Himsl in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 20 - That the free conference committee report No. 3 be adopted as follows:

Free Conference Committee
on Senate Bill No. 20
Report No. 3, July 1, 1986

Mr. President:

We, your Free Conference Committee on Senate Bill No. 20, met and considered:

Senate Bill No. 20,
House Taxation Committee amendments, dated 6/28/86,
Committee of the Whole amendments, dated 6/28/86:
Mercer, 7:45 a.m.
Swift, 7:58 a.m.
Cobb, 8:00 a.m.

We recommend as follows:

That Senate Bill 20, reference copy, be amended as follows:

1. Title, line 13.
Following: "LAWS"
Insert: "TO ESTABLISH A NEW CLASS EIGHTEEN PROPERTY FOR REAL PROPERTY CONTAINING LESS THAN 20 ACRES AND THAT IS RENDERED NONPRODUCTIVE BY LAND USE LAWS;"

2. Title, line 17.
Strike: "15-6-134"
Insert: "15-6-144"

3. Page 6, line 17 through line 3, page 11.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 13, line 5.
Strike: "or noncontiguous"

5. Page 13, line 17.
Strike: "$1,000"
Insert: "$1,500"

6. Page 14.
Following: line 21
Insert: "Section 2. Section 15-6-144, MCA, is amended to read:

"15-6-144. Class fourteen property — description — taxable percentage. (1) Class fourteen property includes all improvements on ~~agricultural~~ land that is eligible for valuation, assessment, and taxation as agricultural land under~~, as defined in~~ 15-7-202(2). Class fourteen property includes 1 acre of real property beneath the agricultural improvements. The 1 acre shall be valued at market value.

(2) Class fourteen property is taxed at 80% of the taxable percentage applicable to class four property.""
Renumber: subsequent sections

7. Page 17, lines 8 and 24.
Strike: "SECTION 3"
Insert: "Sections 1 and 2"

8. Page 19, line 15.
Following: "APPRAISAL"
Insert: ", whichever is later"

9. Page 19.
Following: line 15
Insert: "NEW SECTION. Section 8. Land valued in excess of average county land value — renotification to taxpayer. For persons

paying taxes on real property containing more than 5 acres but less than 20 acres, the department of revenue shall notify each taxpayer whose land value for 1986 due to reclassification to class four by application of 15-7-202 exceeds the average value per acre for such land in the taxpayer's county. The new notice must fully inform the taxpayer as to the reasons for the new notice, including the cause of the increase in value, the right to appeal to the county tax appeal board, and the extension of time for appeal."

Renumber: subsequent sections

And that this Free Conference Committee report No. 3 be adopted.

For the Senate:	For the House:
Mazurek, Chairman	Schye
McCallum	Mercer
	Keenan
	Swift

Motion carried as follows:

Ayes: Anderson, Bengtson, Blaylock, Boylan, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Goodover, Haffey, Halligan, Hammond, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Shaw, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 48

Noes: None.
Total 0

Excused: Aklestad, Hager.
Total 2

Absent or not voting: None.
Total 0

SB 17 - That SB 17, second reading copy, be amended as follows:

1. Page 2, line 1.
Strike: "$600,000"
Insert: "$300,000"

Amendment carried as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Neuman, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 30

Noes: Anderson, Boylan, Crippen, Galt, Goodover, Hammond, Himsl, Keating, Kolstad, McCallum, Mohar, Severson, Shaw, Smith, Stephens, Thayer, Tveit.
Total 17

Excused: Aklestad, Hager.
Total 2

Absent or not voting: Story.
Total 1

That SB 17, as amended, do pass. Motion carried as follows:

Ayes: Bengtson, Blaylock, Brown, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Halligan, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 27

Noes: Anderson, Boylan, Christiaens, Crippen, Galt, Goodover, Hammond, Himsl, Keating, Kolstad, McCallum, Mohar, Neuman, Severson, Shaw, Smith, Stephens, Thayer, Tveit, Weeding.
Total 20

Excused: Aklestad, Hager.
Total 2

Absent or not voting: Story.
Total 1

Senator Van Valkenburg moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. Senate resumed. Mr. President in the Chair. Chairman Himsl moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 20, free conference committee report No. 3, adopted as follows:

Ayes: Anderson, Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Severson, Smith, Stephens, Stimatz, Story, Thayer, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 43

Noes: Boylan, Goodover, Hammond, Kolstad, Shaw.
Total 5

Excused: Aklestad, Hager.
Total 2

Absent or not voting: None.
Total 0

SB 17 passed as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Daniels, Eck, Farrell, Fuller, Gage, Haffey, Harding, Hirsch, Jacobson, Lane, Lybeck, Lynch, Manning, Mazurek, Pinsoneault, Regan, Stimatz, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 27

Noes: Aklestad, Anderson, Boylan, Crippen, Galt, Goodover, Hager, Halligan, Hammond, Himsl, Keating, Kolstad, McCallum, Mohar, Neuman, Severson, Shaw, Smith, Stephens, Story, Thayer, Tveit, Weeding.
Total 23

Paired: Blaylock, Yellowtail, Ayes; Aklestad, Hager, Noes.

Excused: None.

Total 0

Absent or not voting: None.
Total 0

HB 14 concurred in as follows:

Ayes: Bengtson, Blaylock, Brown, Christiaens, Conover, Crippen, Daniels, Eck, Farrell, Fuller, Gage, Galt, Haffey, Halligan, Harding, Himsl, Hirsch, Jacobson, Keating, Kolstad, Lane, Lybeck, Lynch, Manning, Mazurek, McCallum, Mohar, Neuman, Pinsoneault, Regan, Smith, Stephens, Stimatz, Story, Towe, Tveit, Van Valkenburg, Weeding, Williams, Yellowtail, Mr. President.
Total 41

Noes: Anderson, Boylan, Goodover, Hammond, Severson, Shaw, Thayer.
Total 7

Excused: Aklestad, Hager.
Total 2

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 4:00 p.m. Motion carried unanimously.

Senate recessed at 2:43 p.m.

Senate reconvened at 4:20 p.m.

MOTIONS

Senator Van Valkenburg moved that the Senate recess subject to the call of the Chair. Motion carried unanimously.

Senate recessed at 4:21 p.m.

Senate reconvened at 5:01 p.m.

Senator Goodover excused at this time.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 7:00 p.m. Motion carried unanimously.

Senate recessed at 5:03 p.m.

Senate reconvened at 7:03 p.m.

MESSAGES FROM THE OTHER HOUSE

Free conference committee report adopted: 7/1/86

SB 20, free conference committee report No. 3

House bill passed and transmitted to the Senate for concurrence: 7/1/86

HB 53, introduced by Ellerd

FIRST READING OF BILLS

The following House bill was introduced, read first time, and referred to committee:

HB 53, introduced by Ellerd, Towe. Referred to the Committee on Business and Industry.

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate recess until 7:30 p.m. Motion carried unanimously.

Senate recessed at 7:10 p.m.

Senate reconvened at 7:41 p.m.

MESSAGES FROM THE OTHER HOUSE

Senate bill concurred in and returned to the Senate: 7/1/86

SB 17, introduced by Eck

Senate amendment to House bill concurred in: 7/1/86

HB 14, introduced by Bardanouve

MOTIONS

Senator Van Valkenburg moved that the Senate reconsider its action in rejecting House amendments to SB 14, and that House amendments to SB 14 be placed on second reading this legislative day. Motion carried unanimously.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Senator Van Valkenburg moved that the Senate resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Senator Himsl in the Chair.

Mr. President: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Senators Smith and Thayer excused at this time.

SB 14 - That House amendments to SB 14 be concurred in. Motion carried as follows:

Ayes: Anderson, Bengtson, Brown, Conover, Farrell, Fuller, Haffey, Halligan, Hirsch, Jacobson, Keating, Lane, Lynch, Manning, McCallum, Pinsoneault, Regan, Severson, Shaw, Story, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 25

Noes: Blaylock, Boylan, Christiaens, Crippen, Daniels, Eck, Gage, Galt, Hammond, Harding, Himsl, Kolstad, Lybeck, Mazurek, Mohar, Neuman, Stephens, Stimatz, Tveit, Weeding.
Total 20

Excused: Aklestad, Goodover, Hager, Smith, Thayer.
Total 5

Absent or not voting: None.
Total 0

Senator Van Valkenburg moved that the committee rise and report. Motion carried. Committee arose. Senate resumed. Mr. President in the

Chair. Chairman Himsl moved the adoption of the committee report. Report adopted.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 14, House amendments, concurred in as follows:

Ayes: Anderson, Bengtson, Brown, Conover, Daniels, Fuller, Haffey, Hager, Halligan, Himsl, Hirsch, Jacobson, Keating, Lane, Lynch, Manning, McCallum, Pinsoneault, Regan, Story, Thayer, Towe, Van Valkenburg, Williams, Yellowtail, Mr. President.
Total 26

Noes: Aklestad, Blaylock, Boylan, Christiaens, Crippen, Eck, Farrell, Gage, Galt, Goodover, Hammond, Harding, Kolstad, Lybeck, Mazurek, Mohar, Neuman, Severson, Shaw, Smith, Stephens, Stimatz, Tveit, Weeding.
Total 24

Paired: Hager, Hirsch, McCallum, Thayer, Yellowtail, Ayes; Aklestad, Gage, Goodover, Smith, Tveit, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

At the request of the President, and without objection, the Senate reverted to Order of Business No. 6.

MOTIONS

Senator Van Valkenburg moved that the Senate publish the journal of the proceedings of the 49th Legislature, Special Session III. Motion carried unanimously.

Senator Van Valkenburg moved that the Senate adjourn sine die.

Motion carried.

Senate adjourned at 8:09 p.m.

ADDENDUM TO THE SENATE JOURNAL

REPORTS OF STANDING COMMITTEES

BILLS (Manning, Chairman): 7/2/86
Correctly enrolled: SB 1, SB 13, SB 14, SB 17, SB 19, SB 20, SB 22.
Signed by the President at 2:00 p.m., 7/2/86: SB 13, SB 19, SB 22, HB 14, HB 21, HB 35, HB 44, SJR 1.
Signed by the President at 5:00 p.m., 7/2/86: SB 1, SB 14, SB 17, SB 20.
Delivered to the Governor for his approval at 12:10 p.m., 7/3/86: SB 1, SB 13, SB 14, SB 17, SB 19, SB 20, SB 22.

MESSAGES FROM THE GOVERNOR

The Honorable William J. Norman July 10, 1986
President of the Senate

State Capitol
Helena, Montana 59620

Dear President Norman:

This is to inform you that I signed Senate Bills No. 1, 7, 10, 13, 14, 15, and 22 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

July 16, 1986

Dear President Norman:

This is to inform you that I signed Senate Bills No. 8, 17, and 19 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable William J. Norman
President of the Senate
State Capitol
Helena, Montana 59620

July 23, 1986

Dear President Norman:

This is to inform you that I signed Senate Bill No. 20 on this date.

Sincerely,

Ted Schwinden
Governor

BILL NORMAN
President of the Senate

BONNIE WALLEM
Secretary of the Senate

HOUSE JOURNAL

OF THE

THIRD SPECIAL SESSION

OF THE

FORTY-NINTH LEGISLATURE

OF THE

STATE OF MONTANA

FIRST LEGISLATIVE DAY

Helena, Montana
June 16, 1986

House Chambers
State Capitol

Pursuant to law, and the following proclamation of the Governor, Speaker Vincent called the third special session of the House of Representatives of the 49th Legislature to order at 10:00 a.m.

STATE OF MONTANA
PROCLAMATION

CALL TO THE 49TH LEGISLATURE
FOR A SPECIAL SESSION

WHEREAS, Article V, Section 6, of the Constitution of the State of Montana provides that the Legislature may be convened in special sessions by the Governor; and

WHEREAS, Article VI, Section 11, of the Constitution of the State of Montana also provides that whenever the Governor considers it in the public interest, he may convene the Legislature; and

WHEREAS, Section 5-3-101, MCA, specifically provides that the Legislature may be convened in special session by the Governor; and

WHEREAS, state revenues have declined significantly in the past year due to lower prices for oil, coal, and agricultural products, declining interest rates, and the 1985 drought; and

WHEREAS, despite the budget reductions recommended by the Governor to the 1985 regular session and the 2% appropriation reduction ordered by the Governor in fiscal year 1986, the current economic projection for fiscal year 1987 indicates a budget deficit; and

WHEREAS, it is the responsibility of the Governor to recommend a solution to balance the budget and the responsibility of the Legislature to make the policy choices for program modifications for the State of Montana; and

WHEREAS, it is necessary to modify spending authorization for state agencies in response to declining state revenue; and

WHEREAS, various statutes must be amended in order to reflect necessary program, accounting, and allocation changes resulting from budget modifications; and

WHEREAS, a special session called for the purpose of considering all agency appropriations and state programs is in the public interest of all Montanans.

NOW, THEREFORE, I, TED SCHWINDEN, Governor of the State of Montana, pursuant to the authority vested in me by the Constitution and laws of the State of Montana do hereby call the Forty-Ninth Legislature into Special Session in Helena, at the Capitol, at the hour of 10:00 A.M., the 16th day of June, 1986, and hereby direct the Special Session of the Forty-Ninth Legislature to consider action on the following:

1. Appropriations to state and local government agencies and programs; and legislation implementing program changes, allocation of revenue, accounting procedures and budget modifications for state and local government agencies.

2. Legislation to increase the tax on gasoline and diesel fuel.

3. Legislation to establish a tax on regulated utilities to fund the Public Service Commission.

Dated this 30th day of May, 1986.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the GREAT SEAL
OF THE STATE OF MONTANA to be affixed.
DONE at the City of Helena, the Capitol,
this 30th day of May, in the
year of our LORD, one thousand nine
hundred and eighty-six.

TED SCHWINDEN
Governor of Montana

ATTEST:

JIM WALTERMIRE
Secretary of State

Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Fritz, Patterson, Spaeth, excused. Quorum present.

Speaker Vincent announced that the House would stand at ease pending the arrival of a delegation from the U.S. Navy. He asked Representatives J. Brown and Marks to join the Sergeant-at-Arms in escorting the delegation into the House chamber.

Representative Spaeth present at this time.

SPECIAL ORDERS OF THE DAY

The Sergeant-at-Arms and Representatives J. Brown and Marks escorted Mayor Russ Ritter and a delegation from the U.S. Navy to the well of the House. Speaker Vincent introduced them to the members, and Admiral Busey, Vice Chief of Naval Operations addressed the House. He gave a brief history of the three previous naval vessels carrying the name of 'HELENA' and announced that the new USS HELENA will roll into the water at Groton, Connecticut in about a month. The new HELENA is a nuclear submarine, the 38th one in the fleet. After the conclusion of the Admiral's remarks, the delegation was escorted from the chamber.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 2, introduced by Eudaily, Kolstad, (By Request of the Legislative Council). Referred to Committee on Appropriations.

HB 3, introduced by Ellerd. Referred to Committee on State Administration.

HB 4, introduced by Swift. Referred to Committee on Appropriations.

HB 5, introduced by Swift, Severson. Referred to Committee on Appropriations.

HB 6, introduced by Donaldson, (By Request of the Department of Institutions). Referred to Committee on Human Services and Aging.

HB 7, introduced by Winslow, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Appropriations.

HB 8, introduced by Wallin. Referred to Committee on Appropriations.
HB 9, introduced by Donaldson, Thoft. Referred to Committee on Education and Cultural Resources.
HB 10, introduced by Abrams, (By Request of the Department of Administration). Referred to Committee on Appropriations.
HB 11, introduced by Manuel. Referred to Committee on Local Government.
HB 12, introduced by Bardanouve. Referred to Committee on Appropriations.

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House stand in recess until 2:00 p.m. Motion carried.

House recessed at 10:40 a.m.

House reconvened at 2:12 p.m.

Mr. Speaker in the Chair.

The joint subcommittee on long range planning excused at this time.

Representative Harper moved that the officers of the 49th Legislature be the officers of this third special session. Motion carried.

Representative Harper moved that the House rules of the 49th Legislature be the rules of the House of Representatives of this third special session. Motion carried.

Representative Harper moved that the joint rules of the 49th Legislature, with the exception of joint rules 3-7, 6-7, 6-8 with the exception of the second paragraph, 6-19, 6-20, 6-22, 6-29, and 6-34 be the joint rules of the House of Representatives of this third special session. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Stang, Switzer, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Hannah, Sales.
Total 2

Excused: Bardanouve, Ernst, Fritz, Manuel, Patterson, Thoft.
Total 6

Absent or not voting: Jenkins, Nathe, Spaeth, Swift.
Total 4

Representative Harper moved that the deadline for bill drafting requests under the Governor's Proclamation be 5:00 p.m., Wednesday, June 18. Motion carried.

Representative Harper moved that the deadline for introduction of bills under the Governor's Proclamation be 5:00 p.m., Thursday, June 19. Motion carried.

Representative Harper moved that motions to expand this third special session are not in order under a ruling of the Joint Rules Committee. The only procedures allowed to expand the call will be by petition or an additional call by the Governor. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Stang, Switzer, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 84

Noes: D. Brown, Driscoll, Hannah, Harrington, Krueger, Montayne, Sales.
Total 7

Excused: Bardanouve, Ernst, Fritz, Manuel, Patterson, Thoft.
Total 6

Absent or not voting: Nathe, Spaeth, Swift.
Total 3

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 13, introduced by Patterson. Referred to Committee on State Administration.

HB 14, introduced by Bardanouve, (By Request of the Department of Commerce). Referred to Committee on Local Government.

HB 15, introduced by Manuel, (By Request of the Department of Fish, Wildlife, and Parks). Referred to Committee on Appropriations.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 11:00 a.m., June 17, 1986.

Motion carried.

House adjourned at 2:30 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

SECOND LEGISLATIVE DAY

Helena, Montana
June 17, 1986

House Chambers
State Capitol

House convened at 11:00 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Asay, Cobb, Devlin, Fritz, Keller, Patterson, Switzer, Committee on Appropriations, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the first legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 83 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and the place specified herein.

I further certify that this original petition was filed in my office on this 16th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 16th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the Forty-Ninth Legislature meeting in regular session made substantial revisions to Montana's "Greenbelt Laws" by the adoption of Senate Bill No. 431; and

WHEREAS, those revisions have resulted in the reclassification of historically agricultural lands and timber lands as various types of residential lands, and

WHEREAS, due to Montana's sanitation and subdivision laws much of the land reclassified as residential cannot lawfully be subdivided or developed as residential, and

WHEREAS, the public affected by the changes to the Greenbelt Laws has not had adequate time to react to the changes; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation revising Montana's Greenbelt Laws to:

(1) allow agricultural classification if:

(a) subdivision of the land would be illegal under Montana's subdivision laws, or

(b) the land is at least 20 contiguous acres; and

(2) postpone implementing any reclassification until the persons affected have had time to react to the changes.

Members of the 49th Legislature:

Swift
Kitselman
Hannah
Wallin
O'Hara
Phillips
Eudaily
Neill
Brandewie
Marks
Thomas
Jenkins
Switzer
Jones
Keller
Driscoll
Cobb
J.K. Moore
Sands
Nisbet
Krueger
Menahan
D. Brown
McCormick
Bachini
Darko
O'Connell
Ream
Hansen
Pistoria
Connelly
Veleber
Keyser
Lory
Mercer
Winslow
Nelson
Peterson
Glaser
Campbell
Rehberg
Ramirez
Nathe
Compton
C. Smith
Asay
Donaldson
Miller
Gilbert
Sales
Anderson
Cody
Quilici
Pavlovich
J. Moore
Stang
Zabrocki
Miles
Cohen
Garcia
Kennerly
Harbin
Raney
Harrington

McCallum
Farrell
Severson
E. Smith
Gage
Haffey
Hammond
Weeding
B. Brown
Himsl
Galt
Shaw
Goodover
Stephens
Bengtson
Hirsch
Mohar
Crippen
Harding

MOTIONS

Representative Ellerd moved that Wallin, J. Moore, and Sales be added as sponsors to HB 3. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 16, introduced by Schye, Lory, Quilici, Gage, (By Request of the Department of Administration). Referred to Committee on State Administration.
HB 17, introduced by Spaeth, J.K. Moore. Referred to Committee on State Administration.
HB 18, introduced by Peck, Gage, O'Hara, Spaeth. Referred to Committee on Appropriations.
HB 19, introduced by Pavlovich, Harrington. Referred to Committee on Appropriations.
HB 20, introduced by Pavlovich, Harrington. Referred to Committee on Appropriations.

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Sales, Chairman): 6/17/86
HB 3, do pass. Report adopted.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 10:30 a.m., June 18, 1986.

Motion carried.

House adjourned at 11:15 a.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRD LEGISLATIVE DAY

Helena, Montana
June 18, 1986

House Chambers
State Capitol

House convened at 10:30 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Fritz, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the second legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

Speaker Vincent removed Representative Fritz from the House Appropriations Committee and appointed Representative Schye to fill this vacancy.

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 79 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 18th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 18th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, on January 16, 1986, the Supreme Court of the State of Montana held that statutes which restrict or deny economic assistance benefits based upon age are unconstitutional; and

WHEREAS, that opinion and an increase in the number of recipients receiving economic assistance has resulted in substantial additional expense in meeting the state's economic assistance obligations; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation to propose amendments to the Montana Constitution on economic assistance and social and rehabilitative services.

Members of the 49th Legislature:

J.K. Moore
Swift
Switzer
Hannah
Keller
Spaeth
Peck
Pistoria
Lory
Jenkins
Abrams
Nathe
Aklestad
E. Smith
Pinsoneault
McCallum
Marks
O'Hara
Kitselman
Gould
Koehnke
Thoft
J. Moore
Hand
B. Brown
Hammond
Peterson
Schultz
Ellison
Hayne
Winslow
Brandewie
Mohar
Anderson
Goodover
Severson
Keating
Tveit
Keyser
C. Smith
Miller
Wallin
Phillips
Eudaily
Manuel
Connelly
Gilbert
Rehberg
Thomas
Cobb
Cody
Donaldson
Mercer
Ramirez
Christiaens
Nelson
Compton
Simon
Neill
Sales
Farrell
Glaser
O'Connell
Hager
Ernst
Hirsch
Neuman
Lane
Harding
Gage
Boylan
Kolstad
Thayer
Crippen
Shaw
Stephens
Devlin
Hanson
Sands

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/17/86
Correctly printed: HB 3.

MOTIONS

Representative Ellerd moved that Boylan be added as a sponsor to HB 3. Motion carried.

Representative Pistoria moved that HB 3 be taken from second reading and rereferred to the Committee on State Administration. Motion failed. (26-71)

Representative Wallin moved that Ellerd be added as a sponsor to HB 8. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 1, introduced by Vincent, Menahan. Referred to Committee on Appropriations.

HB 21, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on Appropriations.

HB 22, introduced by Sands, Nelson, Towe, Eck, Regan, Cohen, Fuller, Hager, Blaylock, Winslow, Peck, Abrams, Bachini, Nisbet, Veleber, Addy, Menahan, Rapp-Svrcek, Schye, Cody, Jacobson, Keenan, Kadas, Halligan, Hansen, Quilici, Christiaens, Pavlovich, Harper, McCormick, Kitselman, Harrington, Hart, Vincent, Compton, Peterson, B. Brown, Lane, Aklestad, Harding, Harp, Brandewie, C. Smith, E. Smith, Bradley, Manning, Yellowtail, Wallin, Neuman, Mohar, Lybeck, Conover, Hannah, Montayne. Referred to Committee on Appropriations.

HB 23, introduced by Ream, Yellowtail, (By Request of the Montana Coal Board). Referred to Committee on Appropriations.

HB 24, introduced by J. Brown, Story, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Appropriations.

HB 25, introduced by J. Brown, Story, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Appropriations.

HB 26, introduced by J. Brown, Story, (By Request of the Department of Health and Environmental Sciences). Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Driscoll in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 3 - Representative Ellerd moved that HB 3 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick,

Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Garcia, Harrington, Kadas, Nisbet, O'Connell, Pistoria, Ream, Veleber.
Total 8

Excused: Fritz.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Driscoll moved the adoption of the committee report. Report adopted. (89-8)

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 10:30 a.m., June 19, 1986.

Motion carried.

House adjourned at 11:02 a.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FOURTH LEGISLATIVE DAY

Helena, Montana
June 19, 1986

House Chambers
State Capitol

House convened at 10:50 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Driscoll, Ernst, Fritz, Marks, Mercer, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the third legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/19/86
Correctly printed: HB 1, HB 6, HB 8, HB 15, HJR 1.

APPROPRIATIONS (Bardanouve, Chairman): 6/19/86
HB 1, do pass. Report adopted.
HB 8, do pass. Report adopted.
HB 15, do pass. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman): 6/18/86
HB 6, do pass. Report adopted.

TAXATION (Devlin, Chairman): 6/18/86
HJR 1, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 6/18/86

SB 1, introduced by Mazurek

SB 2, introduced by Himsl

SB 3, introduced by Himsl

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 27, introduced by Rehberg, Keating, Nathe, Miller, Gilbert, Neill, J.K. Moore, O'Hara, Ellison, Connelly, Spaeth, Winslow, Swift, Ernst, Peck, J. Brown, Sales, Ramirez, Garcia, Jenkins, Simon, Peterson, Devlin, Miles, Koehnke, Tveit, Hanson, Hannah, Hayne, Lory, C. Smith, Pistoria, Brandewie, Asay, Nelson, Harp, Keller, Wallin, Iverson, Eudaily, Marks, Phillips, Manuel, Abrams. Referred to Committee on State Administration.

HB 28, introduced by Bradley. Referred to Committee on Human Services and Aging.

HB 29, introduced by Spaeth, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Appropriations.

HB 30, introduced by Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on Appropriations.

HB 31, introduced by Spaeth, Blaylock, Ramirez, Devlin, Weeding, Abrams, Keating, Harp, (By Request of the Department of Administration). Referred to Committee on Appropriations.

HB 32, introduced by Wallin, Bardanouve, Lynch, (By Request of the Department of Labor and Industry). Referred to Committee on Appropriations.

HB 33, introduced by Hand, Spaeth, Peck, O'Hara, Jenkins, Keating, Boylan, Christiaens, Neuman, Holliday, Story, Connelly, (By Request of the Department of Social and Rehabilitation Services). Referred to Committee on Human Services and Aging.

HJR 1, introduced by Harp. Referred to Committee on Taxation.

The following Senate bills were introduced, read first time, and referred to committees:

SB 1, introduced by Mazurek. Referred to Committee on Local Government.

SB 2, introduced by Himsl, (By Request of the Department of Administration). Referred to Committee on State Administration.

SB 3, introduced by Himsl, (By Request of the Department of Administration). Referred to Committee on Taxation.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 3 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: Garcia, Kadas, O'Connell, Ream.
Total 4

Paired: Ernst, Marks, Mercer, Ayes; Garcia, Kadas, O'Connell, Noes.

Excused: Driscoll, Fritz.
Total 2

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 8:00 a.m., June 20, 1986.

Motion carried.

House adjourned at 11:05 a.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FIFTH LEGISLATIVE DAY

Helena, Montana
June 20, 1986

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Ellerd, Krueger, Fritz, Garcia, Miles, J. Moore, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fourth legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 77 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 19th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 19th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, Martha Burke, has been selected as State and National Mother of the Year and we want to commend her upon her visit to the Legislature; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol,

such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider a joint resolution commending Martha Burke as Mother of the Year.

Members of the 49th Legislature:

Thomas
Ellerd
O'Hara
Keyser
Ramirez
McCallum
Keating
Hirsch
Jacobson
Norman
Hager
Swift
Eudaily
Nathe
Hanson
Switzer
Compton
Kitselman
Nelson
Story
Miller
Glaser
Neill
Brandewie
Sands
Rehberg
Winslow
Thoft
Gould
Wallin
Hayne
Cobb
Keenan
Kolstad
Stang
Garcia
Zabrocki
Lynch
Bradley
Severson
Farrell
Gage
Himsl
Harding
Pinsoneault
Lane
Boylan
Van Valkenburg
Halligan
Tveit
Lory
Schultz
Jenkins
Sales
Gilbert
Phillips
Grady
Keller
Patterson
Donaldson
Simon
Asay
Ernst
Hannah
Peterson
Marks
Mercer
Iverson
Hand
Krueger
Abrams
Spaeth
Menahan
O'Connell
Pavlovich
Harrington
Campbell

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/20/86
Correctly printed: HB 30.

APPROPRIATIONS (Bardanouve, Chairman): 6/19/86
HB 30, introduced bill, be amended as follows:

1. Page 1.
Strike: everything following the enacting clause
Insert: "Section 1. House Bill 500, Laws of 1985, is amended to read:

"Section 1. Title. This act may be cited as the "General Appropriations Act of 1985".

Section 2. Definitions. For the purposes of this act, unless otherwise stated, the following definitions apply:

(1) "Agency" means each state office, department, division, board, commission, council, committee, institution, university unit, or other entity or instrumentality of the executive branch, office of the judicial branch, or office of the legislative branch of state government.

(2) "Approving authority" means the Governor or his designated representative for executive branch agencies; the Chief Justice of the Supreme Court for judicial branch agencies; appropriate legislative committees for legislative branch agencies; or the Board of Regents or its designated representative for the university system.

(3) "University system unit" means the board of regents, office of the Commissioner of Higher Education, University of Montana at Missoula, Montana State University at Bozeman, Montana College of Mineral Science and Technology at Butte, Eastern Montana College at Billings, Northern Montana College at Havre, Western Montana College at Dillon, the Agricultural Experiment Station with central offices at Bozeman, the Cooperative Extension Service with central offices at Bozeman, the Forestry and Conservation Experiment Station with central offices at Missoula, or the Bureau of Mines and Geology with central offices at Butte.

Section 3. Other funds to offset general fund. The approving authority shall decrease the general fund appropriation of the agency by the amount of funds received from other sources in excess of the appropriation provided in this act unless such action is expressly contrary to state or federal law, rule, or contract or the approving authority certifies that the services to be funded by the additional funds are significantly different from those for which the agency has received a general fund appropriation.

Section 4. Expenditure limit. Expenditures may not exceed appropriations.

Section 5. Budget requests. Sufficient funds are appropriated in this act to enable each agency to submit its 1989 biennial budget request to the Budget Director and the Legislative Fiscal Analyst pursuant to the time schedule established in section 17-7-112(1), MCA. If any agency fails to submit its final, complete budget request by the deadlines established in section 17-7-112(1), MCA, the expenditure authority granted in this act must be reduced or rescinded by the Budget Director unless the agency director certifies that an emergency situation has precluded a timely budget presentation and the Budget Director approves an extension not to exceed 30 days. Employees added through the appropriation of federal or state special revenues or proprietary funds in this act shall not be included in the current level budget presented to the 1987 Legislature if their continuance requires general fund support.

Section 6. Detailed budget information. Within 2 days after submission of the preliminary executive budget to the Legislative Fiscal Analyst, the Budget Director shall give the Legislative Fiscal Analyst the Governor's preliminary expenditure recommendations by object of expenditure to the second level of detail and by funding source detailed by accounting entity. Within 1 day after the Legislative Finance Committee presents the budget analysis to the 50th Legislature, the Budget Director and the Legislative Fiscal Analyst shall mutually exchange expenditure recommendations by object of expenditure to the second level of detail and by funding sources

detailed by accounting entity. This final information must be filed in the respective offices and available to members of the Legislature and the general public.

Section 7. Operating budgets. Expenditures may be made only in accordance with operating budgets approved by the approving authority. The respective appropriations are contingent upon approval of the operating budget by July 1 of each fiscal year. Each operating budget shall include expenditures for each agency program detailed at least by personal services, operating expenses, equipment, benefits and claims, transfers, and local assistance. However, if any agency allocates its appropriations to the second expenditure level in the state accounting system, separate operation plans need not be submitted to the approving authority.

Section 8. Program transfers. The approving authority may approve agency requests for program transfers, within each fiscal year, not to exceed 5% of the total agency budget unless such a transfer is specifically prohibited by this act or by statute. A request for a transfer accompanied by a justification explaining the reason for the transfer must be submitted by the requesting agency to the approving authority and the Legislative Fiscal Analyst. Upon approval of the transfer, the approving authority shall inform the fiscal analyst of the approved transfer and the justification for the transfer.

Section 9. Reduction of appropriation. In the event of a shortfall in revenue, the Governor may reduce any or all appropriations. No appropriation may be reduced by more than 15%. The following appropriations may not be reduced:

(1) payment of interest and retirement of state debt;

(2) the legislative branch;

(3) the judicial branch;

(4) school foundation program; or

(5) salaries of elected officials during their terms of office.

Section 10. Access to records of contracting entities. (1) Unless a contract to provide a service to members of the public on behalf of the state, either written or oral, made with a nonstate entity complies with subsection (2), no money appropriated by this act may be expended for such contract.

(2) Every contract described in subsection (1) must contain a provision to allow access, for legislative audit and fiscal analysis, to the records of the contracting nonstate entity sufficient to determine whether the parties to the contract have complied with the terms of the contract. Such an audit and fiscal analysis requires access to records necessary to carry out the legislative audit and analysis functions set out in Title 5, chapters 12 and 13.

(3) The state may unilaterally terminate any contract upon refusal by the contracting nonstate entity to allow access to its records necessary to carry out such a legislative audit or analysis.

Section 11. Coal tax trust income. Interest income from the coal tax constitutional trust fund established under Article IX, section 5, of the Montana Constitution is hereby appropriated to the general fund for use during the biennium ending June 30, 1987. The portion of the general fund which represents this appropriation is appropriated to the Department of

Commerce in House Bill 500, items 8, 9, 11, and 15, the vocational-technical centers in House Bill 500, and any funds not otherwise designated shall be considered part of the university system's appropriation in House Bill 500.

Section 12. Severability. If any section, subsection, sentence, clause, or phrase of this act is for any reason held unconstitutional, such decision does not affect the validity of the remaining portions of this act.

Section 13. Audit costs. Amounts appropriated for audits may be transferred between fiscal years. Agencies shall reserve enough cash in each fund to pay for audit costs and shall to the maximum extent allowable under federal regulations charge audit costs to federal funds.

Section 14. Pay plan appropriation coordination. From the appropriation for the pay plan act in House Bill 375, the Office of Budget and Program Planning is authorized to increase the expenditure authority of the vocational-technical centers, community colleges, and the Department of Institutions for the community mental health centers.

Section 15. Totals not appropriations. The totals shown in this act are for informational purposes only and are not appropriations.

Section 16. Expenditures to be restrained. State agencies shall restrain year-end expenditures to those prudent and necessary to provide authorized services. They shall not make expenditures which would be considered trivial by reasonable people. The Office of Budget and Program Planning shall monitor year-end expenditures, and a report shall be made to the Legislative Finance Committee.

Section 17. Appropriations. The following money is appropriated for the respective fiscal years:

A. GENERAL GOVERNMENT AND HIGHWAYS

Fiscal 1986					Fiscal 1987				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
LEGISLATIVE AUDITOR									
1. Operations									
1,113,793	901,002			2,014,795	~~1,085,849~~	~~942,089~~			~~2,027,938~~
					1,040,898	938,807			1,979,705
2. Legislative Request Travel									
5,000				5,000	~~5,000~~				~~5,000~~
3. Telephone Costs									
2,432				2,432					
Total									
1,121,225	901,002			2,022,227	~~1,090,849~~	~~942,089~~			~~2,032,938~~
					1,040,898	938,807			1,979,705
Item 2 is for travel relating to legislative requests.									
Item 3 is a biennial appropriation to move telephones if the capitol is renovated.									
LEGISLATIVE FISCAL ANALYST									
1. Operations									
694,999				694,999	~~749,603~~				~~749,603~~
					712,123				712,123
2. Data Processing									
56,433				56,433					
3. Consultants									
30,000				30,000					
Total									
781,432				781,432	~~749,603~~				~~749,603~~
					712,123				712,123
Items 2 and 3 are biennial appropriations.									
LEGISLATIVE COUNCIL									
1. Operations									
1,606,735				1,606,735	~~2,092,635~~				~~2,092,635~~
					2,007,879				2,007,879

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
2. Montana Code Annotated		969,000			969,000					
3. NCSL Dues	32,500				32,500	~~40,088~~				~~40,088~~
						38,084				38,084
4. CSG Dues	31,556				31,556	~~33,614~~				~~33,614~~
						31,933				31,933
5. NCSL Travel	~~49,000~~				~~49,000~~					
	47,825				47,825					
6. CSG Travel	~~25,200~~				~~25,200~~					
	24,567				24,567					
7. Interim Studies	~~49,000~~				~~49,000~~					
	48,325				48,325					
8. Forestry Task Force	~~20,000~~				~~20,000~~					
	19,459				19,459					
9. Revenue Oversight Committee	25,000				25,000					
10. Administrative Code Committee	~~14,700~~				~~14,700~~					
	12,700				12,700					
11. Capitol Building and Planning	~~4,900~~				~~4,900~~					
	3,600				3,600					
12. Five-State Biennial Conference	~~8,800~~				~~8,800~~					
	6,060				6,060					
13. Water Task Force	~~3,920~~				~~3,920~~					
14. Livestock Task Force	~~4,312~~				~~4,312~~					
15. Legislative Management Consultant	~~1,960~~				~~1,960~~					
16. Coal Tax Subcommittee		12,000			12,000					
17. Montana-Western Canadian Provinces Boundary Advisory Committee — (HB 488)	4,200				4,200					
Total	~~1,881,783~~	981,000			~~2,862,783~~	~~2,166,337~~				~~2,166,337~~
	1,862,527				2,843,527	2,077,896				2,077,896

Items 2 and 5 through 17 are biennial appropriations.

In the event studies in addition to those specifically assigned by bill or resolution are assigned to the Revenue Oversight Committee, the Legislative Council shall allocate funds to the committee for those studies.

CONSUMER COUNSEL

1. Operations		781,776			781,776		~~797,570~~		~~797,570~~
							752,691		752,691
2. Contract Services		100,000			100,000		100,000		100,000
Total		881,776			881,776		~~897,570~~		~~897,570~~
							852,691		852,691

Item 2 is for expert witness fees for unanticipated cases.

ENVIRONMENTAL QUALITY COUNCIL

1. Operations	232,086				232,086	~~232,327~~			~~232,327~~
						220,688			220,688

JUDICIARY

1. Supreme Court Operations									
a. Operations	1,287,830				1,287,830	~~1,277,018~~			~~1,277,018~~
						1,254,877			1,254,877
b. Audit	11,963				11,963				
2. Boards and Commissions	202,477				202,477	~~207,923~~			~~207,923~~
						177,923			177,923
3. Law Library	497,146	47,150			544,296	501,972	~~47,150~~		~~549,122~~
							19,694		521,666

	Fiscal 1986					Fiscal 1987			
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
a. Audit		171			171					
4. District Court Operations										
	~~5,329,513~~				~~5,329,513~~	~~5,325,448~~				~~5,325,448~~
	2,158,880				2,158,880	2,172,575				2,172,575
5. Water Courts										
		556,746			556,746		~~572,748~~			~~572,748~~
							544,111			544,111
a. Audit		1,616			1,616					
Total										
	~~7,328,929~~	605,683			~~7,934,612~~	~~7,312,361~~	~~619,898~~			~~7,932,259~~
	4,158,296				4,763,979	4,107,347	563,805			4,671,152
GOVERNOR'S OFFICE										
1. Office of Budget & Program Planning										
a. Operations										
	666,698				666,698	~~708,324~~				~~708,324~~
						672,558				672,558
b. Audit										
	7,000				7,000	7,000				7,000
c. Statewide Audit										
				73,750	73,750				73,750	73,750
2. Executive Office Program										
a. Operations										
	916,796		317,500		1,234,296	~~931,131~~		317,502		~~1,248,633~~
						879,797				1,197,299
b. Audit										
	14,077		1,673		15,750					
3. Board of Visitors										
	127,455				127,455	~~128,585~~				~~128,585~~
						122,155				122,155
4. Air Transportation										
	94,409				94,409	~~108,635~~				~~108,635~~
						105,376				105,376
5. Mansion Maintenance										
	60,091				60,091	~~60,589~~				~~60,589~~
						56,049				56,049
6. Pacific Northwest Electric Power & Conservation Planning Council			433,217		433,217			455,207		455,207
7. Citizens' Advocate Office										
	47,436				47,436	50,029				50,029
8. Lieutenant Governor										
	232,602				232,602	~~236,657~~				~~236,657~~
						224,824				224,824
9. Flathead										
	~~39,690~~				~~39,690~~					
	38,698				38,698					
10. Coordinator of Aging										
	39,256				39,256	~~39,270~~				~~39,270~~
						38,920				38,920
11. Coal Lobby Effort										
	50,000				50,000	~~50,000~~				~~50,000~~
						24,500				24,500
Total										
	~~2,295,510~~		752,390	73,750	~~3,121,650~~	~~2,320,220~~		772,709	73,750	~~3,166,679~~
	2,294,518				3,120,658	2,181,208				3,027,667

Item 1c shown in the proprietary fund column is appropriated each year of the biennium from nongeneral fund sources which the Office of Budget and Program Planning shall distribute, for the sole purpose of paying the Legislative Auditor's charges for the statewide audit, to those agencies who derive a benefit from the statewide audit.

If three FTEs are authorized for the Clark Fork River project, they will be restricted to that project and cannot be transferred to any other program within the Governor's Office.

Item 9 is a biennial appropriation.

The appropriation for the coal lobby effort (item 11) is for the purpose of defending the state's right to establish and levy a tax on coal mined within Montana's borders, to oppose federal legislation that would diminish the state's revenue through discriminatory formula or funding allocations, and to monitor federal actions regarding coal transportation and the Clean Air Act. This appropriation also funds the Legislative Oversight Committee established in HB 828, Laws of 1981. In addition, any balance remaining from item 2(c) of the Governor's Office appropriations contained in HB 447 of the 48th Legislature is reappropriated for use in the 1987 biennium. The Governor's Office shall report quarterly on the coal lobby effort to the Revenue Oversight Committee.

SECRETARY OF STATE

1. Records Management									
a. Operations									
	889,775	263,600			1,153,375	~~854,273~~	~~161,700~~		~~1,015,973~~

	Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
						848,329	145,530			993,859
b. Audit	7,500				7,500					
c. Equipment	~~2,000~~				~~2,000~~					
2. Administrative Code										
a. Operations	51,600	159,504			211,104	~~51,600~~	161,690			~~213,290~~ 161,690
b. Audit		2,500			2,500					
Total	~~950,875~~	425,604			~~1,376,479~~	~~905,873~~	~~323,390~~			~~1,229,263~~
	948,875				1,374,479	848,329	307,220			1,155,549

Item 1c is a biennial appropriation.

If HB 893 passes, the general fund transfer of $51,600 in the administrative code program is reduced to $36,600 each year of the biennium.

COMMISSIONER OF POLITICAL PRACTICES

1. Administration	143,476	1,284			144,760	~~139,769~~	~~1,000~~			~~140,769~~
						132,781	950			133,731
2. Audit	1,680				1,680					
Total	145,156	1,284			146,440	~~139,769~~	~~1,000~~			~~140,769~~
						132,781	950			133,731

STATE AUDITOR

1. Investment Division		255,345			255,345		~~255,997~~			~~255,997~~
							251,497			251,497
a. Audit		3,696			3,696					
2. Management and Control Program										
a. Operations	349,070				349,070	~~353,314~~				~~353,314~~
						327,574				327,574
b. Audit	6,300				6,300					
3. Central Payroll Division										
a. Operations	362,072	305,000			667,072	363,893	~~305,000~~			~~668,893~~
							268,031			631,924
b. Audit	12,789	1,911			14,700					
4. Administrative Support										
a. Operations	359,551				359,551	~~374,036~~				~~374,036~~
						345,214				345,214
b. Audit	3,864				3,864					
5. Insurance Department										
a. Operations		667,504			667,504		~~661,777~~			~~661,777~~
							638,105			638,105
b. Audit		9,240			9,240					
c. Nongender Insurance Law		54,563			54,563					
Total	1,093,646	1,297,259			2,390,905	~~1,091,243~~	~~1,222,774~~			~~2,314,017~~
						1,036,681	1,157,633			2,194,314

Item 5c is a biennial appropriation. The appropriation for item 5c includes a 1.0 FTE to implement the nongender insurance law. The agency is not to include this FTE in its current level budget request presented to the 1987 Legislature.

DEPARTMENT OF JUSTICE

1. Legal Services										
a. Operations	789,736	20,356			810,092	~~785,461~~	~~20,242~~			~~805,703~~
						746,188	14,182			760,370
b. Case-Related Travel	10,000				10,000	~~10,000~~				~~10,000~~
						9,500				9,500
2. County Prosecutor Services	128,754				128,754	130,954				130,954

	Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
3. Agency Legal Services										
				431,375	431,375				430,508	430,508
4. Motor Vehicle Administration										
		102,155			102,155		102,690			102,690
5. Driver Licensing Program										
a. Operations										
	1,823,692	244,629			2,068,321	~~1,826,369~~	~~245,791~~			~~2,072,160~~
						1,735,051	230,934			1,965,985
b. Microfilm Study										
			20,000		20,000					
6. Highway Patrol										
a. Operations										
	2,969,511	6,261,568	451,440		9,682,519	~~3,082,747~~	~~6,270,787~~	481,063		~~9,834,597~~
							9,103,534			9,584,597
b. Highband Radio										
		389,750			389,750					
7. Vehicle Registration										
		1,942,639			1,942,639		~~1,942,879~~			~~1,942,879~~
							1,843,167			1,843,167
8. Law Enforcement Services Administration										
	80,950				80,950	72,798				72,798
9. County Attorney Payroll										
	801,948				801,948	832,336				832,336
10. Law Enforcement Telecommunications Program										
		709,951			709,951		~~746,158~~			~~746,158~~
							708,851			708,851
11. Law Enforcement Academy										
		583,610			583,610		~~592,592~~			~~592,592~~
							562,962			562,962
12. Fire Marshal										
	343,353				343,353	~~331,478~~				~~331,478~~
						314,904				314,904
13. Identification Program										
	244,444				244,444	~~242,698~~				~~242,698~~
						230,563				230,563
14. Criminal Investigators										
	152,748		69,231		221,979	~~154,123~~		70,292		~~224,415~~
						142,777				213,069
a. Case-Related Travel										
	10,000				10,000	~~10,000~~				~~10,000~~
						9,500				9,500
b. Undercover Criminal Investigation										
						~~308,959~~				~~308,959~~
c. Buy Fund										
						~~100,000~~				~~100,000~~
15. Central Services										
a. Operations										
	350,040	25,000			375,040	352,376	~~25,000~~			~~377,376~~
							6,131			358,507
b. Audit										
	11,899	14,576	2,677	595	29,747					
16. Criminal Investigation, Coal Board										
			265,874		265,874			271,375		271,375
17. Indian Legal Jurisdiction										
	69,080				69,080	69,476				69,476
a. Legal Fees										
	~~400,000~~				~~400,000~~					
	281,449				281,449					
18. Data Processing Program										
	312,337				312,337	~~315,881~~				~~315,881~~
						300,087				300,087
19. Extradition and Transfer of Prisoners										
	162,615				162,615	~~166,797~~				~~166,797~~
						158,457				158,457
20. Forensic Science Division										
		691,083			691,083		~~677,608~~			~~677,608~~
							643,728			643,728
Total										
	~~8,661,107~~	10,985,317	809,222	431,970	~~20,887,616~~	~~8,792,453~~	~~10,623,747~~	822,730	430,508	~~20,669,438~~
	8,542,556				20,769,065	5,104,967	13,216,179			19,574,384

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total

Items 1b, 9, and 14a are line item appropriations.

Items 5b, 6b, and 17a are biennial appropriations.

The rate charged by agency legal services (item 3) may not exceed $46.00 per hour.

The 4.0 FTE Highway Patrol Officers added for the 55 mile per hour enforcement squad will not carry over as current level into the 1989 biennium.

The portion of the appropriation in item 10 from the state special highway revenue account for the purpose of establishing the regional dispatch center is provided for the 1987 biennium only. The Department of Justice shall develop a cost allocation plan for the purpose of recovering the cost of operation of regional dispatch centers from all user agencies on an equitable basis, and shall submit the funding plan to the 50th Legislature within the Department's 1989 biennium budget request. It is the intent that a direct appropriation from the state special highway revenue account not be used for this purpose.

If SB 116 passes, item 9 shall be increased by no more than $715,787 general fund in fiscal 1986 and $752,312 general fund in fiscal 1987. If SB 116 is amended and the cost is less than stated in sentence 1, item 9 may be increased only for the fiscal impact of SB 116 as passed and approved.

HIGHWAY TRAFFIC SAFETY									
1. Operations									
	70,247	1,485,698		1,555,945		~~70,691~~	1,480,936		~~1,551,627~~
						67,156			1,548,092
a. Audit									
	1,219	1,218		2,437					
Total									
	71,466	1,486,916		1,558,382		~~70,691~~	1,480,936		~~1,551,627~~
						67,156			1,548,092
BOARD OF CRIME CONTROL									
1. Operations									
	483,905	80,929		564,834	~~486,084~~		82,500		~~568,584~~
					461,780				544,280
a. Audit									
	8,245	1,571		9,816					
Total									
	492,150	82,500		574,650	~~486,084~~		82,500		~~568,584~~
					461,780				544,280
DEPARTMENT OF REVENUE									
1. Director's Office									
a. Operations									
	265,340	83,941	2,836	352,117	~~266,125~~	86,856		2,836	~~355,817~~
					236,425				326,117
b. Audit									
	70,000	5,000	24,750	99,750					
2. Central Services									
	870,973	5,000		875,973	~~874,210~~		5,000		~~879,210~~
					819,810				824,810
3. Research and Information Division									
	957,533		319,178	1,276,711	~~959,198~~			319,733	~~1,278,931~~
					914,298				1,234,031
4. Legal and Investigation Program									
	813,442	1,429,378	337,212	2,580,032	~~799,103~~		1,397,529	328,870	~~2,525,502~~
					753,903				2,480,302
5. Income Tax Division									
	2,785,839	6,426		2,792,265	~~2,837,958~~	6,844			~~2,844,802~~
					2,698,258				2,705,102
6. Natural Resources and Corporation Tax									
	1,241,059	56,588	141,572	1,439,219	~~1,259,445~~	55,236	139,338		~~1,454,019~~
					1,230,445				1,425,019
7. Miscellaneous Tax									
	470,459	68,384		538,843	~~452,464~~	~~71,000~~			~~523,464~~
					393,102	62,162			455,264
8. Motor Fuel Division									
		713,013		713,013		~~695,232~~			~~695,232~~
						655,957			655,957
9. Property Assessment Division									
	11,252,843			11,252,843	~~10,315,236~~				~~10,315,236~~
					9,958,174				9,958,174
a. Equipment									
	193,670			193,670					
b. Airline Litigation									
	120,000			120,000					
Total									
	19,041,158	933,352	1,575,950	683,976	22,234,436	~~17,763,739~~	~~915,168~~	1,541,867	651,439	~~20,872,213~~
						17,004,415	867,055			20,064,776

Item 9a is a biennial appropriation. Item 9b is a biennial appropriation to deal with legal issues arising under federal nondiscriminatory taxation acts such as the Tax Equity and Fiscal Responsibility Act, the Railroad Revitalization and Regulatory Reform Act, and any subsequent federal legislation that directs the state to take a nondiscriminatory posture in the taxation of entities doing business within the state. This appropriation may be used only for attorney fees, expert witnesses, and extraordinary expenses associated solely with resolving disputes related to such legal issues.

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total

Liquor Division proprietary funds necessary to maintain adequate inventories of liquor and wine and to operate the state liquor operation are appropriated. During the 1987 biennium, the Division shall attempt to return at least 13 percent of net sales. Net sales are gross sales less discounts and all taxes collected. The Division shall limit operational expenses of the liquor merchandising system to not more than 15 percent of net sales. Operational expenses may not include product costs, freight charges, or expenses allocable to other divisions or licensing bureau expenses.

The Division retains full authority to determine store operating hours and the number and location of stores and employees. Nonprofitable or marginally profitable state stores shall be closed or converted to agency stores in an orderly manner. Agency stores shall be closed if the Division considers them marginally profitable and other state stores or agencies are located within a reasonable distance.

The appropriation for item 4 includes 13 FTE support staff added to the Child Support Bureau. The agency is prohibited from including these 13 FTE in its current level budget request presented to the 1987 Legislature.

The appropriation for the Income Tax Division includes the additional 19 FTE added. These FTE include 4.5 FTE systems development positions, 6.0 FTE audit staff, and 8.5 FTE collection staff. The agency is prohibited from including these 19 FTE in its current level budget request presented to the 1987 Legislature.

The appropriation for item 6 includes 2 FTE added to the Natural Resources and Corporation Tax Division. These FTE include a 1 FTE natural resources tax auditor and a 1 FTE corporate tax auditor. The agency is prohibited from including these 2 FTE in its current level budget request presented to the 1987 Legislature.

DEPARTMENT OF ADMINISTRATION

1. Central Administration									
a. Operations									
248,097		41,407	289,504	~~251,700~~			41,330	~~293,030~~
				250,487				291,817
2. Accounting									
a. Operations									
832,156			832,156	~~844,917~~				~~844,917~~
				802,671				802,671
b. Audit									
10,500			10,500					
3. Architecture & Engineering									
a. Operations									
523,564		528,864	1,052,428		~~530,777~~		~~530,777~~	~~1,061,554~~
					544,106		544,106	1,088,212
b. Audit									
5,300			5,300					
4. General Services									
a. Operations									
561,183		2,571,858	3,133,041	~~569,201~~			~~2,713,421~~	~~3,282,622~~
				523,417			2,617,433	3,140,850
b. Audit									
		6,500	6,500					
5. Purchasing									
513,037			513,037	~~515,498~~				~~515,498~~
				449,855				449,855
6. Property and Supply									
		562,444	562,444				~~592,641~~	~~592,641~~
							565,769	565,769
a. Audit									
		6,300	6,300					
b. Cost of Goods Sold									
		3,000,000	3,000,000				~~3,000,000~~	~~3,000,000~~
							2,864,485	2,864,485
7. Mail & Management									
		226,868	226,868				232,411	232,411
a. Audit									
		1,000	1,000					
b. Communications									
		754,338	754,338				861,494	861,494
8. Investments									
a. Operations									
		758,054	758,054				~~758,811~~	~~758,811~~
							702,611	702,611
b. Audit									
		29,500	29,500				29,500	29,500
c. Rent									
		38,680	38,680				35,691	35,691
9. Communications									
		7,666,092	7,666,092				~~8,041,789~~	~~8,041,789~~
							7,781,079	7,781,079
a. Audit									
		3,000	3,000					
b. Contract Services									
		200,000	200,000					
10. Personnel									
891,911			891,911	~~907,162~~				~~907,162~~
				885,804				885,804
11. Group Benefits									

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
	32,000			184,649	216,649	35,145			~~186,967~~ 176,364	~~222,112~~ 211,509
a. Audit				25,300	25,300				25,100	25,100
12. Training	30,812			100,868	131,680	31,259			~~101,755~~ 97,990	~~133,014~~ 129,249
a. Audit	250			250	500					
13. State Insurance				1,863,614	1,863,614				~~1,993,091~~ 1,852,641	~~1,993,091~~ 1,852,641
a. Audit				3,000	3,000					
14. Passenger Tramway Safety	19,209				19,209		~~19,753~~ 18,765			~~19,753~~ 18,765
15. Workers' Compensation	333,771				333,771		~~324,789~~ 308,550			~~324,789~~ 308,550
a. Audit	1,000				1,000					
b. Veterans' Preference	9,000				9,000		~~9,000~~			~~9,000~~
c. Meeting Rooms	12,000				12,000		~~12,000~~ 11,400			~~12,000~~ 11,400
16. Publications and Graphics				1,705,460	1,705,460				~~1,887,151~~ 1,810,061	~~1,887,151~~ 1,810,061
a. Audit				5,400	5,400					
b. Equipment				150,000	150,000				~~150,000~~ 143,872	~~150,000~~ 143,872
c. Private Vendors Pass Through				2,097,720	2,097,720				~~2,097,786~~ 2,012,092	~~2,097,786~~ 2,012,092
17. Information Services Division				7,397,572	7,397,572				~~7,472,713~~ 7,165,585	~~7,472,713~~ 7,165,585
a. Audit				27,700	27,700					
18. State Tax Appeal Board										
a. Operations	295,584				295,584	~~295,491~~ 280,716				~~295,491~~ 280,716
b. Contracted Services	30,000				30,000					
19. Treasury Central Services	400,524			27,498	428,022	~~398,882~~ 397,438			~~27,619~~ 26,238	~~426,501~~ 423,676
a. Audit	36,800				36,800					
Total	3,902,063	884,635		29,983,936	34,770,634	~~3,849,255~~ 3,656,792	~~896,319~~ 882,821		~~30,789,047~~ 29,585,852	~~35,525,621~~ 34,125,465

The appropriation in item 3a in the Proprietary column is appropriated from the capital projects fund.

The appropriation in item 4a in the Proprietary column includes $55,356 in fiscal 1986 and $58,801 in fiscal 1987 from the capital projects fund.

Item 8c may be used only in the event the Investment Bureau moves from its existing facilities to more expensive facilities.

Item 9b is a biennial appropriation to hire consultants for a long-term telecommunications proposal.

Item 18b is a biennial appropriation for the "34 percent cases" and appeals resulting from property reappraisals.

Item 16b is for the purchase of copier pool equipment.

Item 16c is to be used only for hiring one FTE to monitor vendor contracts with the state and to pay all vendor printing claims for the state.

Items 6b, 7b, 15b, and 15c are line item appropriations for each year of the biennium.

In item 4, the Department may charge a maximum of $2.98 per square foot in fiscal 1986 and $3.10 per square foot in fiscal 1987. At the end of fiscal 1987, the maximum cash the Department may carry over is $320,000. During the 1987 biennium if utility costs exceed the budgeted amounts, the Department may submit a budget amendment to cover the increase in utility costs.

The Department may expend available self-insurance reserves and revenues to pay any deficit that may be incurred for property or liability insurance premiums due and payable through June 30, 1987.

Included in item 17 is $99,840 in fiscal 1986 and $104,832 in fiscal 1987 for contract programming. The agency is prohibited from including these costs in its current level budget request presented to the 1987 Legislature.

If HB 12 is not passed and approved, the general fund appropriation for fiscal 1986 in item 1a is increased to $12,378,052 and the general fund appropriation for fiscal 1987 in item 1a is increased to $12,442,304.

Contingent upon passage of HB 430, $12,500 in fiscal 1986 and $12,500 in fiscal 1987 are appropriated to the group benefits program of Personnel Division (item 11), in the proprietary fund.

	Fiscal 1986					Fiscal 1987			
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
PUBLIC EMPLOYEES' RETIREMENT DIVISION										
1. Operations				807,048	807,048				786,375	786,375
2. Audit				27,300	27,300					
Total				834,348	834,348				786,375	786,375
The amounts listed in items 1 and 2 are appropriated from the pension trust fund.										
TEACHERS' RETIREMENT SYSTEM										
1. Operations				441,759	441,759				406,819	406,819
2. Audit				19,740	19,740					
Total				461,499	461,499				406,819	406,819
The amounts listed in items 1 and 2 are appropriated from the pension trust fund.										
DEPARTMENT OF MILITARY AFFAIRS										
1. Administration Program										
a. Operations	128,427		7,241		135,668	~~128,870~~ 124,062		7,246		~~136,116~~ 131,308
b. Audit	4,200				4,200					
c. Utilities	24,650				24,650	25,619				25,619
2. Army National Guard	653,266		230,901		884,167	~~671,396~~ 620,094		233,864		~~905,260~~ 853,958
a. Utilities	239,178		159,452		398,630	249,120		166,079		415,199
3. Air National Guard	41,201		625,597		666,798	~~41,762~~ 38,762		628,184		~~669,946~~ 666,946
a. Utilities	60,819		243,278		304,097	65,448		261,789		327,237
4. Veterans' Affairs	470,851				470,851	~~466,674~~ 443,340				~~466,674~~ 443,340
a. Audit	4,200				4,200					
Total	1,626,792		1,266,469		2,893,261	~~1,648,889~~ 1,566,445		1,297,162		~~2,946,051~~ 2,863,607
If utilities expenditures exceed the amounts appropriated for utilities, the Department may ask for a supplemental appropriation. If utilities do not exceed the amount anticipated for utilities, the difference may be used for energy conservation measures. The amounts in items 1c, 2a, and 3a are appropriated for utilities.										
DISASTER AND EMERGENCY SERVICES										
1. Disaster Coordination										
a. Operations	220,594		267,249		487,843	~~222,867~~ 211,723		252,524		~~475,391~~ 464,247
b. Audit	2,940		2,940		5,880					
2. Nuclear Civil Protection										
a. Operations			270,878		270,878			268,334		268,334
b. Audit			2,520		2,520					
Total	223,534		543,587		767,121	~~222,867~~ 211,723		520,858		~~743,725~~ 732,581
DEPARTMENT OF HIGHWAYS										
1. Construction		92,515,021	117,728,884		210,243,905		~~68,100,747~~ 64,493,780	106,475,343		~~174,576,090~~ 170,969,123
2. Operations										
a. Operations		5,022,309	2,055,267		7,077,576		~~5,115,819~~ 4,903,311	2,058,703		~~7,174,522~~ 6,962,014
b. Audit		63,000			63,000					
3. Preconstruction										

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
		6,923,512	7,415,892		14,339,404		~~5,312,307~~ 5,046,692	6,458,655		~~11,770,962~~ 11,505,347
4. Service Revolving				2,990,034	2,990,034				3,217,861	3,217,861
5. Maintenance		40,497,899			40,497,899		~~40,360,882~~ 38,342,838			~~40,360,882~~ 38,342,838
6. Equipment		2,920,903		9,735,463	12,656,366		~~2,590,751~~ 2,247,850		~~10,187,263~~ 9,891,263	~~12,778,014~~ 12,139,113
7. Motor Pool				890,157	890,157				~~733,999~~ 697,299	~~733,999~~ 697,299
8. Stores Inventory		13,050,700			13,050,700		~~13,309,443~~ 12,643,971			~~13,309,443~~ 12,643,971
9. Gross Vehicle Weight Division		3,218,080			3,218,080		~~3,567,560~~ 3,389,182			~~3,567,560~~ 3,389,182
10. Capital Outlay		14,773,336			14,773,336		16,563,599			16,563,599
Total		178,984,760	127,200,043	13,615,654	319,800,457		~~154,921,108~~ 147,631,223	114,992,701	~~14,139,123~~ 13,806,423	~~284,052,932~~ 276,430,347

In the event additional federal highway funds become available, additional spending authority and additional FTEs may be requested through budget amendment.

The Department shall manage the program with the intent to end the 1987 biennium with approximately a $10 million cash balance in the highway special revenue account in the state special revenue fund.

Funding may be transferred among all programs, including stores inventory, to reflect personal services expenditures.

The Department is appropriated $32,050,000 in fiscal year 1986 and $29,600,000 in fiscal year 1987 for a cash transfer for the highway special revenue account to the highway reconstruction trust account.

The Department of Highways is directed to submit to the 1987 Legislature a construction work plan for the 1989 biennium that is detailed by year, project phase, and fund. This work plan must specify, by road system or project area, proposed projects on which $1 million or more would be spent during the 1989 biennium and an aggregate cost for projects with anticipated expenditures of less than $1 million. Costs must be detailed by year, fund, and project phase.

The Legislature anticipates the Department will proceed during the 1987 biennium with the projects and right-of-way acquisitions listed in its revised work plan presented to the legislative subcommittee on general government and highways and spend funds substantially in accordance with the estimated expenditures shown on that work plan. The Department shall report to the 1987 Legislature any significant deviation in projects undertaken or funds expended from that work plan. The Department will be allowed to adjust appropriations in the construction and preconstruction programs between fiscal years and funding sources to reflect actual expenditures related to the projected work plan.

The internal service program contains $210,000 in fiscal year 1987 for overhaul of the Department's airplane. In the event the repair is not required, the Department shall revert this spending authority.

The Legislature anticipates that the Maintenance Division will receive, by budget amendment, spending authority for any funds in excess of $394,098 in fiscal 1986 and $400,073 in fiscal 1987 that it collects from damage situations.

The Department is authorized to transfer $3,700,000 from the highway special revenue account to the stores program account as contributed capital in fiscal 1986. The Department is instructed to develop a pricing structure in the stores inventory program to maintain a cash balance and prepare budgets for the 1989 biennium in accordance with this plan.

TOTAL SECTION A									
~~49,777,446~~ 46,466,014	196,953,138	133,717,077	46,085,133	~~426,532,794~~ 423,221,362	~~48,771,869~~ 40,362,073	~~171,433,754~~ 166,487,540	121,511,463	~~47,268,061~~ 45,741,166	~~388,985,147~~ 374,102,242

B. HUMAN SERVICES

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES										
1. Director's Division										
a. Director's Office		368,121	785,949		1,154,070	~~365,311~~ 347,061		776,214		~~1,141,525~~ 1,123,275
b. Legal Unit		104,482			104,482	105,589				105,589
c. Board of Health		18,638			18,638	~~18,638~~ 10,638				~~18,638~~ 10,638
2. Financial Services Division										
a. Administration			145,971		145,971			148,887		148,887
b. Fiscal Bureau			311,366		311,366			313,072		313,072
c. Audit										

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
			42,000		42,000					
d. Records and Statistics Bureau										
	234,518	72,269	63,423		370,210	228,158	72,203	63,423		363,784
3. Environmental Sciences										
a. Administration										
		113,645			113,645		113,999			113,999
b. Food & Consumer Safety										
	328,488	204,000			532,488	~~330,793~~	206,000			~~536,793~~
						314,253				520,253
c. Solid Waste Management										
	78,266	1,306,442	2,199,366		3,584,074	~~78,102~~	~~1,397,010~~	2,811,374		~~4,286,486~~
						74,197	1,344,323			4,229,894
d. Air Quality										
	320,657		570,391		891,048	320,657		573,258		893,915
e. Occupational Health										
	172,842		41,072		213,914	~~172,041~~		34,084		~~206,125~~
						168,041				202,125
f. Water Quality										
	263,972	81,388	1,296,737		1,642,097	~~266,531~~	80,992	~~1,206,594~~		~~1,554,117~~
						247,531		1,221,594		1,550,117
i. Cabin Creek										
			95,000		95,000					
g. Transfer to General Fund										
		500,000			500,000					
h. LUST										
		53,063	159,188		212,251					
i. Environmental Quality Protection Fund, EIS, Variance										
		~~1,000,000~~			~~1,000,000~~					
		950,000			950,000					
j. Transfer to General Fund										
							25,000			25,000
4. Management Services Division										
a. Administration										
	167,781	48,000	26,815		242,596	~~166,255~~	51,000	19,892		~~237,147~~
						146,255				217,147
b. Microbiology Laboratory										
	370,950	96,950	49,000		516,900	221,452	151,373	34,000		406,825
c. Contingency Fund										
		50,000			50,000					
d. Chemistry Laboratory										
	86,411	200,217			286,628	81,377	171,013			252,390
e. Data Processing										
			36,213		36,213			33,600		33,600
5. Health Services and Medical Facilities Division										
a. Administration										
	33,734		33,833		67,567	33,864		33,895		67,759
b. Dental										
	23,920		118,714		142,634	~~24,263~~		107,257		~~131,520~~
						23,050				130,307
c. Nursing										
	194,166		1,334,412		1,528,578	193,335		1,342,558		1,535,893
d. Clinical										
	120,652		9,501,861		9,622,513	~~129,581~~		9,533,533		~~9,663,114~~
						102,547				9,636,080
e. Emergency Medical										
	295,972	45,172	185,439		526,583	~~303,656~~	44,567	204,855		~~553,078~~
						288,473				537,895
f. Health Planning and Resource Development										
	126,401		213,258		339,659	~~125,435~~		213,916		~~339,351~~
						119,163				333,079
g. Licensing and Certification										
	250,443		336,374		586,817	250,695		337,149		587,844
Total										
	3,560,414	~~3,771,146~~	17,546,382		~~24,877,942~~	~~3,415,733~~	~~2,288,157~~	~~17,787,561~~		~~23,491,451~~
		3,721,146			24,827,942	3,276,336	2,260,470	17,802,561		23,339,367

The total appropriation for the Department includes $1,874,163 in fiscal 1986 and $1,920,679 in fiscal 1987 of the maternal and child health block grant and $632,157 in fiscal 1986 and $632,061 in fiscal 1987 of the preventive health block grant. To the extent revenues from these grants exceed those amounts, it shall be distributed to the counties. To the extent revenues from these grants are less than these amounts, distributions to the counties shall be reduced.

The Department of Health and Environmental Sciences shall use the Attorney General's legal fee rate to charge federal programs for services performed by the Department of Health and Environmental Sciences, Legal Services Unit. Use of federal appropriation authority of $42,701 in fiscal 1986 and $52,472 in fiscal 1987 shall be used only to purchase legal services from the Department of Health and Environmental Sciences, Legal Services Unit. All legal services performed for federal programs shall be billed and all fees collected shall be deposited to the general fund.

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total

Resource indemnity trust funds allocated to the Department of Health and Environmental Sciences as per section 15-38-202, MCA, received in excess of $376,000 in fiscal 1986 and $435,000 in fiscal 1987 are appropriated for use by the Solid and Hazardous Waste Bureau for the hazardous waste and superfund programs. Any unexpended resource indemnity trust funds appropriated for fiscal year 1986 are reappropriated for fiscal year 1987.

If House Bill 633 is not passed and approved, the state special revenue appropriation for fiscal 1986 in item 3f is increased to $218,175 and the state special revenue appropriation in fiscal 1987 is increased to $220,817.

Items 3fi, 3h, and 3i are biennial appropriations.

Funds appropriated for family planning services are contingent upon the recipient providing such services in a physical plant that does not contain an abortion clinic or facility that performs abortions.

Any federal funds received for the Environmental Sciences Division Administration, item 3a, shall replace resource indemnity trust money, which shall revert to the resource indemnity trust fund.

Item 3g is a transfer of funds from the junk vehicle state special revenue fund to the general fund.

Beginning in fiscal 1987, PKU testing in the microbiology laboratory will be operated solely from fees collected for PKU testing.

Item 4c is for reimbursable laboratory work in excess of $345,167 in fiscal 1986 and $373,386 in fiscal 1987.

No authority may be transferred into or out of item 3i.

Item 3j is a transfer of funds from the water and wastewater operators state special revenue account to the general fund.

DEPARTMENT OF LABOR & INDUSTRY

1. Commissioner's Office									
		167,010		167,010			166,390		166,390
2. Labor Standards									
559,314	3,250			562,564	~~548,374~~	3,250			~~551,624~~
					345,002		174,793		523,045
3. Appeals									
305,024		228,517	3,500	537,041	~~308,308~~		229,907	3,500	~~541,715~~
					302,083				535,490
4. Human Rights									
203,318		125,876		329,194	~~210,787~~		121,632		~~332,419~~
					208,687				330,319
Total									
1,067,656	3,250	521,403	3,500	1,595,809	~~1,067,469~~	3,250	~~517,929~~	3,500	~~1,592,148~~
					855,772		692,722		1,555,244
5. Employment Security Division									
a. Job Services									
		10,637,651		10,637,651			10,728,743		10,728,743
b. Unemployment Insurance									
		2,606,257		2,606,257			2,605,199		2,605,199
c. Central Services									
		4,194,753		4,194,753			4,113,527		4,113,527
d. Audit									
							56,700		56,700
e. Job Training Partnership Act									
334,000		7,100,000		7,434,000	~~334,000~~		~~7,100,000~~		7,434,000
					125,000		7,309,000		
Total									
334,000		24,538,661		24,872,661	~~334,000~~		~~24,604,169~~		24,938,169
					125,000		24,813,169		
6. Workers' Compensation									
a. Operations									
100,579	7,252,477	222,118		7,575,174	100,394	7,218,236	221,837		7,540,467
b. Audit									
	40,000			40,000					
c. Crime Victims Fund									
	500,000			500,000		100,000			100,000
Total									
100,579	7,792,477	222,118		8,115,174	100,394	~~7,218,236~~	221,837		~~7,540,467~~
						7,318,236			7,640,467

Item 5a includes federal spending authority for current level operations of all existing job service offices. If federal funds are less than these amounts, the Department may supplement federal funds with state unemployment assessments as provided in section 39-51-404(4), MCA.

Item 6a contains $103,326 in fiscal 1986 and $85,841 in fiscal 1987 of Workers' Compensation funds for an additional 3 FTE legal personnel and expenses. These FTEs are not to be presented as part of the current level budget to the 1987 Legislature.

Item 6c is appropriated to the general fund from the crime victims fund.

DEPARTMENT OF SOCIAL AND REHABILITATION SERVICES

1. Assistance Payments									
a. Operations									
669,713		2,358,296		3,028,009	~~678,507~~		2,392,658		~~3,071,165~~
					662,345				3,055,003
b. Benefits									
i. Nonresident General Assistance									
30,000				30,000	30,000				30,000
ii. Emergency General Assistance									

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
	100,000				100,000	~~100,000~~				~~100,000~~
iii. State General Assistance	2,777,906				2,777,906	~~3,347,068~~ 2,965,602				~~3,347,068~~ 2,965,602
iv. AFDC	9,731,463		20,542,614		30,274,077	10,233,069		22,054,047		32,287,116
v. Other Benefits	174,701		15,238,563		15,413,264	~~180,882~~ 173,049		14,651,892		~~14,832,774~~ 14,824,941
vi. Legal Services	100,000				100,000	~~100,000~~ 50,000				~~100,000~~ 50,000
Total	13,583,783		38,139,473		51,723,256	~~14,669,526~~ 14,114,065		39,098,597		~~53,768,123~~ 53,212,662
2. Social Services										
a. Operations	7,014,163		2,098,297		9,112,460	~~7,315,840~~ 6,961,928		2,141,454		~~9,457,294~~ 9,103,382
b. Benefits	5,867,404		6,988,078		12,855,482	~~6,102,311~~ 5,823,196		~~7,094,242~~ 7,118,717		~~13,196,553~~ 12,941,913
c. Legacy Legislature	5,000				5,000					
Total	12,886,567		9,086,375		21,972,942	~~13,418,151~~ 12,785,124		~~9,235,696~~ 9,260,171		~~22,653,847~~ 22,045,295
3. Eligibility Determination	2,028,531		5,054,642		7,083,173	~~2,093,309~~ 2,013,366		5,320,842		~~7,414,151~~ 7,334,208
4. Administration and Support										
a. Operations	1,576,381		1,336,309		2,912,690	~~1,594,114~~ 1,530,850		1,344,281		~~2,938,395~~ 2,875,131
b. Legislative Audit	62,508		52,992		115,500					
Total	1,638,889		1,389,301		3,028,190	~~1,594,114~~ 1,530,850		1,344,281		~~2,938,395~~ 2,875,131
County Assumption - Administration	963,626		362,018		1,325,644	~~962,009~~ 952,818		361,382		~~1,323,391~~ 1,314,200
5. Medical Assistance										
a. Operations	1,079,895		1,771,702		2,851,597	~~1,055,230~~ 1,049,396		1,792,221		~~2,847,451~~ 2,841,617
b. Benefits										
i. State Medical	2,894,772				2,894,772	~~3,177,525~~ 3,026,214				~~3,177,525~~ 3,026,214
ii. Medicaid - Institution Reimbursement	4,494,303		8,681,530		13,175,833	~~4,663,663~~ 3,906,574		~~9,208,028~~ 7,962,683		~~13,871,691~~ 11,869,257
iii. Other Benefits	16,164,688		31,701,655		47,866,343	~~16,699,626~~ 16,181,929		~~33,199,660~~ 33,271,998		~~49,899,286~~ 49,453,927
iv. Medicaid - Other	10,649,454	6,527,941	33,185,357		50,362,752	~~11,261,986~~ 9,625,510	~~6,593,221~~ 7,393,221	~~35,253,758~~ 34,773,291		~~53,108,965~~ 51,792,002
v. Medicaid Management Information System	120,000		1,080,000		1,200,000					
Total	35,403,112	6,527,941	76,420,244		118,351,297	~~36,858,030~~ 33,789,623	~~6,593,221~~ 7,393,221	~~79,453,667~~ 77,800,193		~~122,904,918~~ 118,983,037
6. Audit and Program Compliance	686,543		681,936		1,368,479	~~690,224~~ 650,262		678,194		~~1,368,418~~ 1,328,456
7. Vocational Rehabilitation	690,601	541,891	3,956,328		5,188,820	~~702,317~~ 686,796	563,666	4,189,835		~~5,455,818~~ 5,440,297
a. Special Population Services	20,000		96,000		116,000	20,000				20,000

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
8. Disability Determination			2,250,917		2,250,917			2,299,399		2,299,399
9. Visual Services	234,314		655,898		890,212	~~241,788~~ 241,698		669,618		~~911,406~~ 911,316
10. Developmental Disabilities										
a. Operations	267,286		832,663		1,099,949	~~262,886~~ 232,171		829,690		~~1,092,576~~ 1,061,861
b. Benefits	3,273,088		12,661,320		15,934,408	~~5,750,900~~ 5,175,965		~~12,174,002~~ 12,202,205		~~17,924,902~~ 17,378,170
Total	3,540,374		13,493,983		17,034,357	~~6,013,786~~ 5,408,136		~~13,003,692~~ 13,031,895		~~19,017,478~~ 18,440,031
11. DDPAC										
a. Operations			105,000		105,000			105,000		105,000
b. Benefits			195,000		195,000			195,000		195,000
Total			300,000		300,000			300,000		300,000
TOTAL SRS	71,676,340	7,069,832	151,887,115		230,633,287	~~77,263,254~~ 72,192,738	~~7,156,887~~ 7,956,887	~~155,955,203~~ 154,354,407		~~240,375,344~~ 234,504,032

It is to be a priority that primary care givers who provide direct service under case management for the Medicaid home and community-based services waiver be acquainted with the mental health needs of the elderly.

Further, case management teams, care givers, and the Aging Services Network are to be acquainted with appropriate means for referral and intervention. Aging information and referral technicians are to be informed of the local services available to address mental health needs.

The benefit portion of the medicaid waiver program in item (5)(b)(iii) for fiscal year 1986 is $1,424,503. The unexpended amount of this appropriation is reappropriated for medicaid waiver benefit purposes for fiscal year 1987.

In each fiscal year, 10% of the low income energy block grant shall be transferred to the social services block grant. If the transfer is greater than $1,169,510 in either fiscal year, a like amount of general fund shall revert. Eight and six-tenths percent of the low income energy block grant shall be used for the weatherization program in each fiscal year.

No funds may be transferred into or out of the nonresident general assistance program, the emergency general assistance program, or the state general assistance program.

Except for 5% in fiscal 1986 and 5% in fiscal 1987 that the Department may use for administrative expenses, all other funds appropriated for the community services block grant must be allocated to the Human Resource Development Councils.

Funds appropriated under item 1bvi are for a contract with the Montana Legal Services Corporation to provide legal assistance to all supplemental security income clients, with the intent of reducing the state general assistance caseload by a minimum of 180 clients by the end of the 1987 biennium.

The department is to continue its current policy of limited placement in foster care. The department may increase contracts with in-state providers to accommodate geographical distribution of placements.

The department is to freeze foster care payment rates at the level paid during fiscal year 1986.

If third-party payments or reimbursement from any source received by the Department to offset costs of the foster care program are in excess of $320,000 in fiscal 1986 or $320,000 in fiscal 1987, these excess payments shall revert to the general fund.

The Department may not consider donated or nondepartmental contracted funds obtained by developmental disabilities providers or foster care providers when allocating or contracting state payments for developmental disabilities services or foster care services.

No FTE or spending authority may be transferred into or out of the eligibility determination program or the disability determination program.

Item 4b is a biennial appropriation.

The Department may provide coverage of heart transplant surgery under the medicaid-other program. This coverage shall expire on June 30, 1987, unless specifically extended by the next Legislature.

Except as provided for coverage of heart transplant surgery as set forth in this narrative, the Department shall not expand or reduce the amount, scope, or duration of the benefits available to recipients under the medicaid-other program during the 1987 biennium unless Title XIX of the federal Social Security Act is amended to require expansion or reduction of benefits as a condition of the state receiving federal financial participation. This provision does not prohibit the Department from amending reimbursement procedures to contain costs providing there are no reductions in the types of services provided to recipients or increases in the amount paid by recipients under copayment rules.

No funds may be transferred out of item 5bii.

If collections of county mill levy funds from state-assumed counties exceed $6,527,941 in fiscal 1986 and ~~$6,593,221~~ $7,393,221 in fiscal 1987, the excess will be deposited to the general fund.

Item 5bv is a biennial appropriation.

Item 7a is a biennial appropriation.

Funds appropriated under item 10b include $2,890,123 for reduction of the developmental disabilities waiting list. The Department shall adopt as a priority development of residential services for autistic children.

Funds appropriated under item 11b must be expended for direct services in accordance with recommendations of the Developmental Disabilities Planning and Advisory Council.

TOTAL SECTION B	76,738,989	18,636,705	~~194,715,679~~	3,500	290,094,873	~~82,180,850~~	~~16,666,530~~	~~199,086,699~~	3,500	~~297,937,579~~

Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
					76,550,240	17,538,843	197,884,696		291,977,279

C. NATURAL RESOURCES

Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
PUBLIC SERVICE COMMISSION									
1. Operations									
1,651,873		46,628	15,000	1,713,501	~~1,711,671~~		50,919	15,000	~~1,777,590~~
					1,637,319				1,703,238
2. Audit									
11,500				11,500					
3. Pipeline Consultants									
~~15,000~~		15,000		~~30,000~~					
3,768				18,768					
4. Expert Witnesses									
20,000				20,000					
Total									
~~1,698,373~~		61,628	15,000	~~1,775,001~~	~~1,711,671~~		50,919	15,000	~~1,777,590~~
1,687,141				1,763,769	1,637,319				1,703,238
The appropriations in items 3 and 4 are for the biennium.									
DEPARTMENT OF LIVESTOCK									
1. Central Services									
a. Operations									
46,926	349,211			396,137	~~61,813~~	~~350,276~~			~~412,089~~
					58,228	335,651			393,879
b. Audit									
14,700				14,700					
2. Diagnostic Laboratory									
329,908	435,642			765,550	~~327,689~~	~~355,431~~			~~683,120~~
					302,231	335,290			637,521
3. Disease Control									
	570,424			570,424		~~578,568~~			~~578,568~~
						525,973			525,973
4. Milk and Egg Program									
208,876		18,000		226,876	~~214,447~~		18,000		~~232,447~~
					210,964				228,964
5. Inspection and Control									
a. Operations									
	1,916,014			1,916,014		~~1,930,523~~			~~1,930,523~~
						1,892,799			1,892,799
b. Market Office Computer Terminals									
	31,292			31,292					
6. Beef and Pork Research & Marketing									
		570,000		570,000			570,000		570,000
7. Predatory Animal Control									
	301,444			301,444		~~308,227~~			~~308,227~~
						256,411			256,411
8. Rabies Control									
67,989	15,000			82,989	~~68,841~~	~~15,000~~			~~83,841~~
						182,727			182,727
Total									
668,399	3,619,027	588,000		4,875,426	~~672,790~~	~~3,538,025~~	588,000		~~4,798,815~~
					571,423	3,528,851			4,688,274

Item 5b is a biennial appropriation.

The appropriation in item 2 in fiscal 1986 includes $27,600 from the state special revenue fund for milk control authorized in section 81-23-202, MCA. The assessment authorized in section 81-23-202, MCA, in effect July 1, 1985, will not be reduced until this expenditure has been made. This amount has been generated under the provisions of section 81-23-105, MCA, for milk testing. This is to assist in the purchase of milk testing equipment authorized in this appropriation.

DEPARTMENT OF AGRICULTURE									
1. Centralized Services									
a. Operations									
273,854	533,036	72,375	29,168	908,433	~~268,727~~	~~553,541~~	54,918	~~27,864~~	~~905,050~~
					254,464	538,364		27,764	875,510
b. Audit									
19,950				19,950					
2. Hail Insurance									
			168,905	168,905				170,720	170,720
3. Wheat Research and Marketing									
		1,017,850		1,017,850			1,020,428		1,020,428
4. Environmental Management									

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
	712,396	165,467	197,657		1,075,520	~~693,461~~	~~164,284~~	222,760		~~1,080,505~~
						659,615	156,070			1,038,445
5. Plant Industry										
	432,596	380,900	24,773	43,895	882,164	~~440,484~~	~~391,237~~	24,785	~~45,872~~	~~902,378~~
						416,789	384,006		43,578	869,158
6. Agriculture Development Division										
	101,208	37,054	101,995	165,899	406,156	~~97,665~~	~~37,633~~	43,455	~~170,166~~	~~348,909~~
						94,443	35,751		164,916	338,565
Total	1,540,004	1,116,457	1,414,650	407,867	4,478,978	~~1,500,327~~	~~1,146,695~~	1,366,346	~~414,622~~	~~4,427,990~~
						1,425,311	1,114,191		406,978	4,312,826

Within proprietary funds appropriated to the Department of Agriculture are revenues received under the provisions of section 80-2-221, MCA, for hail insurance and section 80-2-103, MCA, for rural development. Amounts included are:

		Fiscal 1986	Fiscal 1987
Section 80-2-221, MCA	Item 1a.	$ 23,067	$ 21,030
	Item 2.	168,905	170,720
Section 80-2-103, MCA	Item 1a.	$ 4,101	$ 4,834
	Item 6.	65,899	65,166

The general fund loan authorized for the establishment of the beginning farm loan program in HB 447 of the 48th Legislature is extended until June 30, 1987.

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
DEPARTMENT OF STATE LANDS										
1. Central Management										
a. Operations										
	815,457	470,557	170,000	154,257	1,610,271	817,013	~~399,546~~	170,000	~~185,878~~	~~1,572,437~~
							379,571		176,584	1,543,168
b. Audit										
	20,790	1,134	3,276		25,200					
2. Reclamation										
		1,438,007	7,560,562		8,998,569	~~601,612~~	~~768,346~~	8,063,957		~~9,433,915~~
						549,531	729,928			9,343,416
3. Land Administration										
a. Operations										
	445,250				445,250	432,804				432,804
b. Land Use Specialists										
	111,313				111,313	76,485				76,485
4. Resource Development										
		856,889			856,889		~~926,571~~			~~926,571~~
							880,242			880,242
5. Forestry										
	4,101,262	2,001,487	1,605,602		7,708,351	~~4,825,985~~	~~1,291,387~~	1,587,112		~~7,704,484~~
						4,553,621	1,226,817			7,367,550
Total	5,494,072	4,768,074	9,339,440	154,257	19,755,843	~~6,753,899~~	~~3,385,850~~	9,821,069	~~185,878~~	~~20,146,696~~
						6,429,454	3,216,558		176,584	19,643,665

The funds appropriated in item 3b may be expended only to the extent revenues from increased land transaction fees authorized in section 77-1-302, MCA, are deposited to the general fund.

Item 5 contains $3,012,118 in fiscal 1986 and $2,992,162 in fiscal 1987 for fire protection.

The Department may transfer up to $359,254 in fiscal 1986 and $395,388 in fiscal 1987 of the state special revenue appropriation in item 4 to item 5. These are resource development funds which may be used to expand the timber harvest on state lands.

DEPARTMENT OF FISH, WILDLIFE, AND PARKS									
1. Centralized Services									
a. Operations									
	1,675,350	253,006	1,899,687	3,828,043		1,587,594	251,597	1,937,999	3,777,190
b. Audit									
	46,200			46,200					
c. Legislative Contract Authority									
		40,000		40,000			40,000		40,000
2. Field Services Division									
a. Operations									
	1,093,308	299,115		1,392,423		1,003,939	297,990		1,301,929
b. Legislative Contract Authority									
		45,000		45,000			45,000		45,000
c. Data Processing									
		60,369		60,369					
3. Fisheries									
a. Operations									

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
		2,796,028	995,333		3,791,361		2,749,462	974,180		3,723,642
b. Legislative Contract Authority			1,247,000		1,247,000			1,201,000		1,201,000
4. Law Enforcement										
a. Operations		3,762,333			3,762,333		3,747,185			3,747,185
b. Legislative Contract Authority			84,000		84,000			84,000		84,000
5. Wildlife										
a. Operations		2,594,704	2,185,349		4,780,053		2,609,394	2,192,134		4,801,528
b. Legislative Contract Authority			1,015,000		1,015,000			978,000		978,000
6. Parks Program										
a. Operations	412,330	2,878,088	501,500	269,542	4,061,460	~~433,553~~	~~2,618,581~~	501,500	255,305	~~3,808,939~~
							3,038,156			3,794,961
b. Operations — Contingency		50,000			50,000		50,000			50,000
7. Conservation Education										
a. Operations		1,063,503	82,269		1,145,772		1,055,079	75,313		1,130,392
b. Legislative Contract Authority			30,000		30,000			30,000		30,000
8. Administration										
a. Operations		912,290	184,004		1,096,294		699,705	182,979		882,684
b. Legislative Contract Authority			15,000		15,000			15,000		15,000
Total	412,330	16,871,804	7,036,945	2,169,229	26,490,308	~~433,553~~	~~16,120,939~~	6,868,693	2,193,304	~~25,616,489~~
							16,540,514			25,602,511

The appropriation of legislative contract authority in items 1c, 2b, 3b, 4b, 5b, 7b, and 8b is subject to the following provisions:

1. Legislative contract authority applies only to federal and private funds.
2. Legislative contract authority expenditures must be reported on state accounting records separately from current level operations.
3. A report shall be submitted by the Department to the Legislative Fiscal Analyst following the end of fiscal 1986 and following the end of fiscal 1987, which report must include the following:

a. a description of the additional services provided by each grant of federal or private funds;
b. an evaluation of the effectiveness of the additional services relating to each grant.

Item 2c is a biennial appropriation.

Item 6b is appropriated for operation and maintenance of state parks if the Kleffner Ranch is not approved in HB 928. If the Kleffner Ranch is approved in HB 928 this appropriation is void.

DEPARTMENT OF NATURAL RESOURCES AND CONSERVATION

1. Centralized Services									
a. Operations	1,164,833	349,558	170,000	1,684,391	~~1,049,404~~	~~350,069~~	~~170,000~~		~~1,569,473~~
					996,934	281,667	180,637		1,459,238
b. Audit	13,524	7,476		21,000					
2. Oil & Gas									
a. Operations		903,904		903,904		~~903,259~~			~~903,259~~
						862,846			862,846
b. Additional Travel		2,500		2,500		~~5,000~~			~~5,000~~
c. Litigation - MEPA		~~25,000~~		~~25,000~~					
		23,750		23,750					
3. Conservation Districts		832,334	2,607	834,941	~~355,560~~	~~488,650~~	2,703		~~846,913~~
					337,782	487,990			828,475
4. Water Resources									
a. Operations	2,891,145	1,689,250	42,800	4,623,195	~~3,650,209~~	~~940,455~~	42,800		~~4,633,464~~
					2,202,672	2,181,960			4,427,432
b. State Water Projects		800,000		800,000					
c. Debt Service and Issuance Fees		7,356,628	43,880	7,400,508					
d. Middle Creek			4,100,000	4,100,000					
e. Cooney Dam		75,000		75,000					

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
f. Dam Safety										
	16,000				16,000	30,000				30,000
g. Board of Water Well Contractors										
		37,012			37,012		~~36,432~~			~~36,432~~
							34,610			34,610
5. Energy Division										
a. Operations										
	466,165	3,428,718	2,866,837		6,761,720	~~467,401~~	~~3,263,000~~	966,020		~~4,696,421~~
						430,460	1,807,000			3,203,480
b. Lake Broadview Mitigation										
			113,000		113,000					
Total										
	4,551,667	~~15,507,380~~	7,339,124		~~27,398,171~~	~~5,552,574~~	~~5,986,865~~	~~1,181,523~~		~~12,720,962~~
		15,506,130			27,396,921	3,997,848	5,656,073	1,192,160		10,846,081

Item 2b is appropriated contingent upon filling all inspector positions.

Item 2c is a biennial appropriation.

The Oil and Gas Conservation Division is authorized to spend any funds received from bonds for plugging abandoned wells as authorized in section 82-11-123(5), MCA, and such funds are appropriated for those purposes.

Items 4b, 4c, 4d, and 4e are biennial appropriations. To the extent funds appropriated in item 4e are not needed for the Cooney Dam project, they shall be applied to reduce the water users' debt on this project.

Item 4f is a biennial appropriation to fund Department responsibilities under SB 369.

Included within the $3,428,718 appropriation of federal special revenue funds in item 5a in fiscal 1986 is $1,650,000 for Rock Creek Mitigation and $276,328 for the Residential Standards Demonstration Program. These amounts are appropriated for the biennium.

Item 5b for the Lake Broadview mitigation project is appropriated for the biennium.

DEPARTMENT OF COMMERCE

1. Business Licensing and Regulation - Program Support										
	21,478	61,129			82,607	~~21,013~~	~~59,805~~			~~80,818~~
						20,763	56,300			77,063
2. Weights and Measures Bureau										
	469,746				469,746	~~434,675~~				~~434,675~~
						412,941				412,941
3. Financial Division										
		773,993			773,993		~~758,070~~			~~758,070~~
							720,166			720,166
4. Milk Control Bureau										
a. Operations										
		266,610			266,610		~~261,905~~			~~261,905~~
							248,176			248,176
b. Expert Witnesses										
		6,000			6,000		6,000			6,000
5. Professional and Occupational Licensing										
		2,313,135			2,313,135		~~2,198,756~~			~~2,198,756~~
							2,088,819			2,088,819
6. Aeronautics Division										
		600,116		92,600	692,716		~~584,316~~		~~92,978~~	~~677,294~~
							555,100		88,329	643,429
7. Transportation Division										
	~~503,088~~	75,000	6,314,749		~~6,892,837~~	~~489,613~~	~~75,000~~	2,827,434		~~3,392,047~~
	573,088				6,962,837	398,632	71,250			3,297,316
8. Business Assistance										
	735,562		126,500		862,062	~~730,858~~		126,500		~~857,358~~
						694,940				821,440
9. Montana Promotion										
	1,258,200		325,000		1,583,200	~~1,243,964~~		350,000		~~1,593,964~~
						1,181,766				1,531,766
10. Housing Division										
			8,292,600	1,123,755	9,416,355			8,296,450	~~1,253,984~~	~~9,550,434~~
									1,191,285	9,487,735
11. Community Development										
	206,505	504,000	7,797,446		8,507,951	~~202,127~~	~~470,448~~	6,265,516		~~6,938,091~~
						192,021	446,926			6,904,463
12. Hard Rock Mining Board										
		1,000,000			1,000,000					
13. Local Government Block Grant										
	1,500,000	15,459,000			16,959,000	~~1,500,000~~	~~15,883,000~~			~~17,383,000~~
						1,425,000	15,088,850			16,513,850
14. Coal Board										
		~~3,115,980~~			~~3,115,980~~		~~2,957,671~~			~~2,957,671~~
		2,435,980			2,435,980		1,809,788			1,809,788
15. Economic Policy and Research										
	249,641		20,000		269,641	~~247,465~~		20,000		~~267,465~~
						233,666				253,666
16. Local Government Audit Service										
a. Operations										

	Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
	88,127			919,842	1,007,969	~~87,745~~			~~901,718~~	~~989,463~~
						83,358			857,132	940,490
b. District Court Assistance										
	1,375,000				1,375,000					
c. District Court Operations										
	3,170,633				3,170,633	2,995,229				2,995,229
17. Accounting and Management										
	87,589			280,171	367,760	~~87,117~~			~~273,879~~	~~360,996~~
						82,761			261,685	344,446
18. Indian Affairs Coordinator										
	108,207				108,207	~~106,773~~				~~106,773~~
						101,434				101,434
19. Bonding Authority										
	193,248			318,653	511,901	~~187,540~~			~~318,234~~	~~505,774~~
						178,163			302,323	480,486
20. Director's Office Management Services										
a. Operations										
	1,731			644,288	646,019	~~1,731~~			~~606,815~~	~~608,546~~
						1,644			574,474	576,118
b. Audit										
				63,000	63,000					
21. Legal Services Division										
	131,938			169,041	300,979	~~128,716~~			~~164,818~~	~~293,534~~
						122,281			156,577	278,858
22. Building Codes Division										
		1,151,533			1,151,533		~~978,158~~			~~978,158~~
							930,098			930,098
a. Audit										
		3,000			3,000					
Total										
	~~6,930,060~~	~~25,329,496~~	22,876,295	3,611,350	~~58,747,201~~	~~5,469,337~~	~~24,233,129~~	17,885,900	~~3,612,426~~	~~51,200,792~~
	10,170,693	24,649,496			61,307,834	8,124,599	22,021,473		3,431,805	51,463,777

The interentity loan of $10,000 to the Board of Private Investigation may be extended until June 30, 1987.

The general fund appropriations in item 7 include $100,000 per year for litigation cost on McCarty Farms/Staggers 229. The Department shall seek to recover the general fund expenditures plus interest at a rate of 10% from any settlement in this case.

The appropriation in item 12 is for the biennium.

Understanding that education of enforcement personnel and enforcement will be an extremely important need in the success of an energy code enforcement program and the exact needs will not be known until after the administrative hearings process for the energy code adoption is completed, the necessary funding may be added by budget amendment. The budget amendment will be for the purposes of allowing the Department to receive and expend federal funds made available for educational and enforcement purposes and the necessary supervisory staff to administer the same. Should the economy improve to the point there is a need for more building standard inspectors, a maximum of 3 FTEs and operating expenses and equipment for the 3 FTEs may be added by budget amendment to the Building Codes Division.

The Department of Commerce is authorized to expend funds deposited to the state special revenue account as a result of House Bill 295, the "Lemon Law".

The appropriation in item 16(c) for District Court operations is the appropriations transfer made in section 11, Chapter 1, Special Laws of 1985.

TOTAL SECTION C

	~~21,294,905~~	~~67,212,238~~	48,656,082	6,357,703	~~143,520,928~~	~~22,094,151~~	~~54,411,503~~	~~37,762,450~~	~~6,421,230~~	~~120,689,334~~
	24,524,306	66,530,988			146,069,079	22,185,954	52,077,660	37,773,087	6,223,671	118,260,372

D. DEPARTMENT OF INSTITUTIONS

	Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
CENTRAL OFFICE										
1. Director's Office										
a. Operations										
	385,599				385,599	~~379,484~~				~~379,484~~
						360,510				360,510
b. Workers' Compensation										
						172,000				172,000
2. Management Services Division										
a. Management Services										
	881,915				881,915	~~886,627~~				~~886,627~~
						842,296				842,296
b. Audit										
	28,035	875	6,090		35,000					
3. Alcohol & Drug Abuse Division										
	219,592	330,039	1,114,606		1,664,237	~~219,592~~	~~344,383~~	1,083,560		~~1,647,535~~
						208,612	327,151			1,619,323

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
4. Corrections Division										
a. Central Office										
i. Operations										
	~~3,981,236~~	250	2,595		~~3,984,081~~	~~4,027,276~~	250	2,699		~~4,030,225~~
	3,948,380				3,951,225	3,873,602				3,876,551
ii. Equipment										
	100,000				100,000					
b. Women's Corrections										
i. Operations										
	686,014				686,014	~~694,102~~				~~694,102~~
						659,397				659,397
c. Corrections Medical										
i. Operations										
	607,934				607,934	626,172				626,172
d. Mountain View School										
i. Operations										
	1,563,331	2,000	65,586		1,630,917	~~1,574,168~~	2,000	65,764		~~1,641,932~~
						1,511,201				1,578,965
ii. Audit										
	10,000				10,000					
e. Pine Hills School										
i. Operations										
	2,667,303	41,455	486,856		3,195,614	~~2,680,399~~	41,467	487,555		~~3,209,421~~
						2,653,595				3,182,617
ii. Audit										
	13,000				13,000					
f. Montana State Prison										
i. Care and Custody — Operations										
	10,528,932	50,617	105,284		10,684,833	~~11,592,121~~	50,637	90,996		~~11,732,754~~
						11,476,200				11,617,833
ii. Care and Custody — Audit										
	17,132		1,015		18,147					
iii. Care and Custody — Equipment										
	80,000				80,000					
iv. Ranch and Dairy Operations										
				1,745,190	1,745,190				1,789,187	1,789,187
v. Ranch and Dairy Audit										
				2,105	2,105					
vi. Industries Operations										
				396,128	396,128				404,598	404,598
vii. Industries Audit										
				3,193	3,193					
viii. Industries Training Operations										
	156,762		37,243	195,995	390,000	~~145,487~~			181,657	~~327,144~~
						144,032				325,689
ix. Industries Training Audit										
	320		80	400	800					
x. Canteen Operations										
		360,435			360,435		361,031			361,031
xi. Canteen Audit										
		321			321					
xii. License Plate Factory Operations										
		354,094			354,094		366,598			366,598
xiii. License Plate Factory Audit										
		184			184					
g. Swan River Forest Camp										
i. Operations										
	847,039	73,773	37,525		958,337	~~838,862~~	74,284	39,450		~~952,596~~
						805,332				919,066
ii. Audit										
	8,000				8,000					
5. Mental Health Division										
a. Central Office										
i. Operations										
	4,122,606		1,349,118		5,471,724	~~4,236,539~~		1,235,176		~~5,471,715~~
						4,024,712				5,259,888
b. Boulder River School and Hospital										
i. Operations										
	10,774,551	33,844	51,769		10,860,164	10,842,541	20,324	43,827		10,906,692
ii. Audit										
	20,000				20,000					
iii. Equipment										
	20,000				20,000					
c. Center for the Aged										
i. General Operations										
	2,510,226	7,386			2,517,612	~~2,504,802~~	7,735			~~2,512,537~~

	Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
						2,454,706				2,462,441
ii. Audit	10,000				10,000					
d. Eastmont										
i. General Operations	2,070,704	3,000			2,073,704	~~2,080,897~~ 2,039,279	3,000			~~2,083,897~~ 2,042,279
ii. Audit	10,000				10,000					
e. Veterans' Home										
i. General Operations	452,980	20,764	1,384,015		1,857,759	~~476,719~~ 452,883	20,764	1,393,515		~~1,890,998~~ 1,867,162
ii. Audit	8,000				8,000					
iii. Boiler Replacement	24,995				24,995					
f. Montana State Hospital										
i. General Operations	17,728,908	1,692,998	5,103		19,427,009	~~17,884,144~~ 17,526,461	1,686,132	5,103		~~19,575,379~~ 19,217,696
ii. Audit	26,872	2,528			29,400					
iii. Equipment	130,000				130,000					
g. Montana Youth Treatment Center										
i. General Operations	2,084,969		30,113	28,065	2,143,147	2,442,087		41,555	28,065	2,511,707
ii. Audit	10,000				10,000					

Item 1b is appropriated to the Department for additional workers' compensation costs anticipated in fiscal 1987. The director may allocate these funds to programs only for additional workers' compensation costs based on increased rates.

Within item 4, transfers may be made between line items in excess of 5% of the total appropriation authority in each line item upon approval of the Governor or his designated representative.

Within item 5, transfers may be made between line items in excess of 5% of the total appropriation authority in each line item upon approval of the Governor or his designated representative.

Items 4aii, 4ci, 4fiii, 5biii, 5eiii, and 5fiii are biennial appropriations.

The Department is authorized to maintain an aggregate funding level of $2,236,595 during fiscal 1986 and $2,236,595 during fiscal 1987 for those substance abuse programs that during fiscal 1984 were partially or totally funded under the provisions of section 53-24-206, MCA. Expenditures of revenues available under section 53-24-206, MCA, when combined with discretionary distribution of the alcohol federal block grant, may not exceed the aggregate funding totals specified above.

6. Board of Pardons										
a. General Operations	165,154				165,154	~~166,181~~ 157,872				~~166,181~~ 157,872
b. Audit	2,520				2,520					
Total	167,674				167,674	~~166,181~~ 157,872				~~166,181~~ 157,872
TOTAL SECTION D	~~62,954,629~~ 62,921,773	2,974,563	4,676,998	2,371,076	~~72,977,266~~ 72,944,410	~~64,470,200~~ 63,273,490	~~2,978,605~~ 2,961,373	4,489,200	2,403,507	~~74,341,512~~ 73,127,570

E. OTHER EDUCATION

	Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
BOARD OF PUBLIC EDUCATION										
1. Board Administration										
a. Operations	104,979				104,979	~~103,933~~ 98,737				~~103,933~~ 98,737
b. Audit	2,520				2,520					
Total	107,499				107,499	~~103,933~~ 98,737				~~103,933~~ 98,737
2. Fire Services Training School										
a. Operations										

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
	230,759		14,000	3,000	247,759	~~231,868~~		2,000	~~3,000~~	~~236,868~~
						210,641			12,000	224,641
Total	230,759		14,000	3,000	247,759	~~231,868~~		2,000	~~3,000~~	~~236,868~~
						210,641			12,000	224,641
3. Montana School for the Deaf & Blind										
a. Administration	173,882				173,882	174,761				174,761
b. General Services	310,406				310,406	314,914				314,914
c. Student Services	604,154		30,000		634,154	606,168		30,000		636,168
d. Education	924,350		452,494		1,376,844	~~942,150~~		427,500		~~1,369,650~~
						930,510				1,358,010
e. Audiological Services	673,000				673,000	~~673,000~~				~~673,000~~
						500,000				500,000
f. Audit	17,500				17,500					
Total	2,703,292		482,494		3,185,786	~~2,710,993~~		457,500		~~3,168,493~~
						2,526,353				2,983,853

~~No administrative costs may be taken from item 3e for the Montana School for the Deaf and Blind. Amounts in item 3e represent a biennial appropriation.~~ Item 3e includes funds to allow the Board of Public Education to employ necessary personnel pursuant to providing comprehensive audiological services as provided for in Board of Public Education policy.

In addition to the amount in item 3e, any balance remaining on June 30, 1985, from the general fund appropriation for audiological services contained in HB 447, Laws of 1983, is reappropriated until June 30, 1987, for the purpose of providing audiological testing services.

OFFICE OF PUBLIC INSTRUCTION

1. Chief State School Officer	112,375		29,102		141,477	113,696		19,071	132,767
2. Basic Skills	914,677	261,454	103,000		1,279,131	~~886,512~~	265,371	104,000	~~1,255,883~~
						872,134			1,241,505
3. Vocational Education	408,192		357,217		765,409	~~413,928~~		348,097	~~762,025~~
						386,132			734,229
4. Administrative Services									
a. General Operations	829,758	495,166	669,994		1,994,918	~~845,820~~	493,238	683,089	~~2,022,147~~
						840,069			2,016,396
b. Audit	33,600				33,600				
5. Special Services	135,981		1,341,647		1,477,628	136,314		1,294,839	1,431,153
6. School Transportation	6,086,000				6,086,000	~~6,086,000~~			~~6,086,000~~
						5,781,700			5,781,700
7. School Lunch	640,000				640,000	~~655,000~~			~~655,000~~
						622,250			622,250
8. Gifted and Talented Grants	100,000				100,000	~~100,000~~			~~100,000~~
						95,000			95,000
9. Secondary Vocational Education	~~1,000,000~~				~~1,000,000~~				
	920,000				920,000				
10. Adult Basic Education		148,535			148,535		155,962		155,962
11. Special Education	28,011,800				28,011,800	~~28,801,733~~			~~28,801,733~~
						27,361,646			27,361,646
12. Special Education Contingency	400,000				400,000	400,000			400,000
13. State Impact Payments	13,000				13,000	~~13,000~~			~~13,000~~
						5,500			5,500
14. Discretionary Grants									
a. Job Training Partnership			500,000		500,000			540,000	540,000
b. Vocational Education Grants			2,500,000		2,500,000			2,500,000	2,500,000
c. Adult Basic Education Grants									

	Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
			403,412		403,412			405,879		405,879
d. Education of the Handicapped — Part B			330,000		330,000			350,000		350,000
e. Education of the Handicapped — Part D			35,000		35,000			40,000		40,000
f. Preschool Incentive Grants			118,000		118,000			129,000		129,000
Total	~~38,685,383~~ 38,605,383	905,155	6,387,372		~~45,977,910~~ 45,897,910	~~38,452,003~~ 36,614,441	914,571	6,413,975		~~45,780,549~~ 43,942,987

All revenues received in the state traffic education account under the provisions of section 20-7-504, MCA, are appropriated to be distributed as provided in section 20-7-506, MCA.

The appropriations in items 4b and 9 are for the biennium.

State and federal funds appropriated in items 1 through 5 include internal transfers of indirect costs. The amount of indirect costs in excess of $445,666 in fiscal 1986 and $443,738 in fiscal 1987 that are recovered shall cause a like reversion of general fund.

Special education funds in item 11 are for foundation and permissive support of the maximum-budget-without-a-vote for special education.

Special education contingency funds in item 12 are for emergencies that may arise in special education programs at local districts. A district's board of trustees may apply for an allocation from these funds by presenting to the Superintendent of Public Instruction, for each child, a child-study team report and an individual education plan relating to this unforeseen expense and a current listing of program, case loads, and related costs. The contingency appropriation is for the biennium, and the specific amounts may be transferred between fiscal years.

Notwithstanding other provisions of law, the Superintendent may not approve a maximum-budget-without-a-vote for special education which, in the aggregate, exceeds ~~$67,613,533~~ $55,597,210 in the 1987 biennium.

	Fiscal 1986 General Fund	Current Unrestricted	Total	Fiscal 1987 General Fund	Current Unrestricted	Total
BILLINGS VOCATIONAL-TECHNICAL CENTER						
1. Instruction	545,390	471,500	1,016,890	~~547,442~~ 511,618	~~474,558~~ 497,842	~~1,022,000~~ 1,009,460
2. Plant Operation & Maintenance	140,432	140,432	280,864	~~144,795~~ 144,357	144,795	~~289,590~~ 289,152
3. Equipment	24,362	24,362	48,724	~~33,359~~ 17,953	17,962	~~51,321~~ 35,915
4. Support						
a. Operations	120,396	271,123	391,519	~~70,581~~ 59,156	322,843	~~393,424~~ 381,999
b. Audit	8,000	10,000	18,000			
Total	838,580	917,417	1,755,997	~~796,177~~ 733,084	~~960,158~~ 983,442	~~1,756,335~~ 1,716,526

The appropriation in item 4b is for the biennium. Total audit costs are estimated to be $20,000 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

Included in items 1 through 4 is $127,612 in fiscal 1986 and $128,910 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Billings Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur.

BUTTE VOCATIONAL-TECHNICAL CENTER						
1. Instruction	442,896	382,954	825,850	~~444,563~~ 388,091	~~385,437~~ 403,585	~~830,000~~ 791,676
2. Plant Operation & Maintenance	82,289	82,288	164,577	85,302	85,301	170,603
3. Equipment	7,055	7,055	14,110	9,711	5,229	14,940
4. Support						
a. Operations	260,361	91,365	351,726	226,898	126,474	353,372
b. Audit	8,000	10,000	18,000			
Total	800,601	573,662	1,374,263	~~766,474~~ 710,002	~~602,441~~ 620,589	~~1,368,915~~ 1,330,591

The appropriation in item 4b is for the biennium. Total audit costs are estimated to be $20,000 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

Included in items 1 through 4 is $121,613 in fiscal 1986 and $121,613 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Butte Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur.

	Fiscal 1986			Fiscal 1987		
	General Fund	Current Unrestricted	Total	General Fund	Current Unrestricted	Total
GREAT FALLS VOCATIONAL-TECHNICAL CENTER						
1. Instruction	451,610	390,160	841,770	~~453,306~~ 395,044	~~392,694~~ 412,113	~~846,000~~ 807,157
2. Plant Operation & Maintenance	94,367	94,367	188,734	96,911	96,910	193,821
3. Equipment	22,866	22,866	45,732	31,299	16,854	48,153
4. Support						
a. Operations	237,136	137,889	375,025	195,341	181,502	376,843
b. Audit	8,000	10,000	18,000			
Total	813,979	655,282	1,469,261	~~776,857~~ 718,595	~~687,960~~ 707,379	~~1,464,817~~ 1,425,974

The appropriation in item 4b is for the biennium. Total audit costs are estimated to be $20,000 for the biennium. Ten percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

Included in items 1 through 4 is $121,010 in fiscal 1986 and $121,221 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Great Falls Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur.

HELENA VOCATIONAL-TECHNICAL CENTER						
1. Instruction	715,467	597,933	1,313,400	~~707,040~~ 647,159	~~612,960~~ 641,209	~~1,320,000~~ 1,288,368
2. Plant Operation & Maintenance	158,772	158,771	317,543	~~168,996~~ 153,212	158,995	~~327,991~~ 312,207
3. Equipment	26,895	26,895	53,790	36,845	19,840	56,685
4. Support						
a. Operations	424,133		424,133	~~375,607~~ 358,599	50,612	~~426,219~~ 409,211
b. Audit	7,000	10,000	17,000			
Total	1,332,267	793,599	2,125,866	~~1,288,488~~ 1,195,815	~~842,407~~ 870,656	~~2,130,895~~ 2,066,471

The appropriation in item 4b is for the biennium. Total audit costs are estimated to be $20,000 for the biennium. Fifteen percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

Included in items 1 through 4 is $106,295 in fiscal 1986 and $107,743 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Helena Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur.

MISSOULA VOCATIONAL-TECHNICAL CENTER						
1. Instruction	636,186	549,854	1,186,040	~~638,577~~ 569,146	~~553,423~~ 579,790	~~1,192,000~~ 1,148,936
2. Plant Operation & Maintenance	150,934	150,934	301,868	156,570	156,569	313,139
3. Equipment	25,807	25,807	51,614	35,348	19,033	54,381
4. Support						
a. Operations	81,977	345,235	427,212	30,787	398,562	429,349
b. Audit	7,000	10,000	17,000			
Total	901,904	1,081,830	1,983,734	~~861,282~~ 791,851	~~1,127,587~~ 1,153,954	~~1,988,869~~ 1,945,805

The appropriation in item 4b is for the biennium. Total audit costs are estimated to be $20,000 for the biennium. Fifteen percent of these costs are to be paid from funds other than those appropriated in items 1 through 4.

Included in items 1 through 4 is $327,807 in fiscal 1986 and $326,987 in fiscal 1987 of federal vocational education funds. For each dollar of federal vocational education funds received by the Missoula Vocational-Technical Center exceeding these amounts in each fiscal year, a general fund reversion of 50 cents shall occur.

Receipt of state funds appropriated to the five vocational-technical centers is contingent upon each county in which the center resides levying 1.5 mills each fiscal year. The Superintendent of Public Instruction may transfer millage collections among centers. Millage received by the centers from the 1.5 mill levy which, in the aggregate, exceeds $855,233 in fiscal 1986 and $868,314 in fiscal 1987 will cause a general fund reversion of a like amount each year.

Fiscal 1986					Fiscal 1987				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
STATE COUNCIL FOR VOCATIONAL EDUCATION										
1. Operations			113,410		113,410			116,350		116,350
2. Audit			2,940		2,940					
Total			116,350		116,350			116,350		116,350
MONTANA ARTS COUNCIL										
1. Administration	56,887		69,587		126,474	~~57,306~~ 53,846		70,875		~~128,181~~ 124,721
2. Audit	4,200		4,200		8,400					
3. Grants	20,000		171,348		191,348	20,000		128,171		148,171
4. Special Projects	39,370		190,465		229,835	~~38,994~~ 36,639		192,451		~~231,445~~ 229,090
Total	120,457		435,600		556,057	~~116,300~~ 110,485		391,497		~~507,797~~ 501,982
MONTANA HISTORICAL SOCIETY										
1. Administration										
a. Operations	352,902		69,245		422,147	~~390,023~~ 380,125		71,221		~~461,244~~ 451,346
b. Audit	12,264				12,264					
2. Library Program	149,518		76,098		225,616	~~150,186~~ 146,337		33,633		~~183,819~~ 179,970
3. Museum Program	219,011		109,075		328,086	~~221,408~~ 215,909		109,057		~~330,465~~ 324,966
4. Publications Program										
a. Operations	41,083			358,905	399,988	~~41,224~~ 40,124			359,595	~~400,819~~ 399,719
b. Audit				1,008	1,008					
5. Historical Sites Preservation Program										
a. Operations	72,777		742,253		815,030	~~73,836~~ 71,912		758,505		~~832,341~~ 830,417
b. Audit	1,764		1,764		3,528					
6. Archives Program	206,893		62,462		269,355	~~208,395~~ 203,171		17,764		~~226,159~~ 220,935
7. Education Program	24,414		64,707		89,121	~~28,168~~		65,042		~~93,210~~ 65,042
Total	1,080,626		1,125,604	359,913	2,566,143	~~1,113,240~~ 1,057,578		1,055,222	359,595	~~2,528,057~~ 2,472,395
MONTANA STATE LIBRARY										
1. Reference and Information	268,474	20,832	90,203		379,509	~~271,911~~ 251,813	21,874	93,816		~~387,601~~ 367,503
2. Library Development	43,542	379,482	401,895		824,919	~~43,843~~ 36,737	~~383,462~~ 361,153	316,464		~~743,769~~ 714,354
3. Institutional Library Services Program	19,613		47,114		66,727	20,222		47,114		67,336
4. Library Services - Physical Handicapped Program	52,877		82,730		135,607	54,041		83,209		137,250
5. Administration Program	98,615		34,717		133,332	99,158		34,717		133,875
6. Technical Services	55,478	47,790	29,072		132,340	54,899	40,839	29,072		124,810
7. Audit	9,000				9,000					

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
8. Natural Heritage Program		75,000	75,140		150,140					
Total	547,599	523,104	760,871		1,831,574	~~544,074~~	~~446,175~~	604,392		~~1,594,641~~
						516,870	423,866			1,545,128

The amounts included in items 1 through 6 in the Federal Special Revenue column represent Library Services and Construction Act funds that may be transferred between fiscal 1986 and 1987.

Amounts in item 8 represent a biennial appropriation.

TOTAL SECTION E										
	~~48,162,946~~	5,450,049	9,322,291	362,913	~~63,298,199~~	~~47,761,689~~	~~5,581,299~~	9,040,936	~~362,595~~	~~62,746,519~~
	48,082,946				63,218,199	45,284,452	5,674,457		371,595	60,371,440

NOTE: The total of state special revenues for section E includes the following amounts of current unrestricted funds:

Fiscal 1986 ——— $4,021,790

Fiscal 1987 ——— ~~$4,220,553~~ $4,336,020

F. HIGHER EDUCATION

All funds, other than plant funds and current unrestricted operating funds, may be spent and are appropriated contingent upon approval by the Board of Regents by July 1 of each year of the comprehensive program budget. The budget must contain detailed revenues and expenditures and anticipated fund balances of current funds, loan funds, and endowment funds. All movement of funds between the current unrestricted subfund and the designated subfund account entities must be clearly identified in the state budgeting and accounting system.

Programs for the university budgets include instruction, organized research, public service, academic support, student services, institutional support, operation and maintenance of plant, and scholarships and fellowships.

Included within current unrestricted funds to the six institutions is the sum of $14,384,000 in fiscal 1986 and ~~$14,669,000~~ $18,049,000 in fiscal 1987 from revenues generated under the provisions of section 20-25-423, MCA. The Department of Revenue shall levy the full six mills as authorized in section 20-25-423, MCA: ~~Revenues received by the University System,~~ and the revenues generated by the levy are appropriated to the University System. The general fund appropriation to the University System shall be reduced by the amount the revenues available under the provisions of section 20-25-423, MCA, ~~that~~ exceed $14,384,000 in fiscal 1986 and ~~$14,669,000~~ $18,049,000 in fiscal 1987 ~~must cause a general fund reversion of a like amount each year~~.

	Fiscal 1986					Fiscal 1987				
	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
BOARD OF REGENTS										
1. Administration										
	23,101				23,101	~~23,465~~				~~23,465~~
						22,292				22,292
COMMISSIONER OF HIGHER EDUCATION										
1. Office Administration										
a. Operations										
	798,252				798,252	~~800,633~~				~~800,633~~
						760,602				760,602
b. Audit										
	7,351				7,351					
2. WAMI										
	1,428,893	424,742			1,853,635	~~1,159,865~~	~~779,073~~			~~1,938,938~~
						178,845	1,719,774			1,898,619
3. WICHE - Student Assistance										
		1,943,900			1,943,900		1,846,300			1,846,300
4. WICHE - Administrative Dues										
		53,000			53,000		56,000			56,000
5. University of Minnesota - Rural Dentistry										
	129,600				129,600	~~133,200~~				~~133,200~~
						111,000				111,000
6. SSIG										
	175,000		210,000		385,000	175,000		210,000		385,000
7. NDSL										
	60,000				60,000	~~60,000~~				~~60,000~~
						55,000				55,000
8. Talent Search										
a. Operations										
			165,003		165,003			165,472		165,472
b. Audit										
			469		469					
9. Guaranteed Student Loan										
a. Operations										
			1,131,267		1,131,267			1,195,119		1,195,119
b. Audit										
			1,680		1,680					
10. Work Study										
	291,000				291,000	~~291,000~~				~~291,000~~
						276,450				276,450

Fiscal 1986 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	Fiscal 1987 General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
Total									
2,890,096	2,421,642	1,508,419		6,820,157	~~2,619,698~~	~~2,681,373~~	1,570,591		~~6,871,662~~
					1,556,897	3,622,074			6,749,562

The Commissioner of Higher Education is allowed to transfer appropriation authority between the amounts included in the WICHE appropriation for dentistry, of $75,600 in fiscal 1986 and $85,100 in fiscal 1987, and the Minnesota Rural Dentistry appropriation, of $129,600 in fiscal 1986 and ~~$133,200~~ $111,000 in fiscal 1987.

	Fiscal 1986 General Fund	Current Unrestricted	Total	Fiscal 1987 General Fund	Current Unrestricted	Total
COMMUNITY COLLEGES						
1. Miles Community College						
a. Operations						
	862,335		862,335	~~871,262~~		~~871,262~~
				827,699		827,699
b. Audit						
	8,320		8,320			
2. Dawson Community College						
a. Operations						
	743,392		743,392	~~751,088~~		~~751,088~~
				713,534		713,534
b. Audit						
	8,320		8,320			
3. Flathead Community College						
a. Operations						
	1,579,708		1,579,708	~~1,596,062~~		~~1,596,062~~
				1,516,259		1,516,259
b. Audit						
	8,320		8,320			
Total						
	3,210,395		3,210,395	~~3,218,412~~		~~3,218,412~~
				3,057,492		3,057,492

The above appropriation provides ~~52%~~ 49% of the total unrestricted budgets for the community colleges, which budgets shall be approved by the Board of Regents.

The fiscal 1986 general fund appropriation for each community college ~~includes~~ included 41.6% of the total audit cost. The remaining 58.4% of these costs are to be paid from funds other than those appropriated in items 1 through 3. Audit costs may not exceed $20,000 for each unit for the biennium.

Dawson, Miles, and Flathead Community Colleges are prohibited from including in student enrollment, used in calculating the unrestricted budget referred to in section 20-15-310, MCA, student FTEs from out-of-district centers not approved under Board of Regent Policy 220.1.

BUREAU OF MINES						
1. Research						
	1,173,331	353,000	1,526,331	~~1,486,030~~	53,000	~~1,539,030~~
				1,411,728		1,464,728
AGRICULTURAL EXPERIMENT STATION						
1. Agricultural Experiment Station						
	5,971,058	2,327,579	8,298,637	~~5,942,232~~	2,417,957	~~8,360,189~~
				5,645,120		8,063,077
2. U.S. Range Station						
		895,039	895,039		922,735	922,735
Total						
	5,971,058	3,222,618	9,193,676	~~5,942,232~~	3,340,692	~~9,282,924~~
				5,645,120		8,985,812
COOPERATIVE EXTENSION SERVICE						
1. Public Service						
	2,230,609	2,037,594	4,268,203	~~2,188,660~~	2,097,506	~~4,286,166~~
				2,079,227		4,176,733
FORESTRY & CONSERVATION EXPERIMENT STATION						
1. Research						
	115,118	552,308	667,426	~~669,578~~		~~669,578~~
				636,099		636,099
MONTANA STATE UNIVERSITY						
1. Instruction						
	16,445,067	8,802,203	25,247,270	~~16,056,623~~	~~8,878,824~~	~~24,935,447~~
				13,972,017	10,160,599	24,132,616
2. Research						
	370,709	199,613	570,322	~~371,396~~	199,982	~~571,378~~
				352,826		552,808
3. Public Service						
	6,565	3,535	10,100	~~6,618~~	3,564	~~10,182~~
				6,287		9,851
4. Academic Support, Student Services, and Institutional Support						

	Fiscal 1986			Fiscal 1987		
	General Fund	Current Unrestricted	Total	General Fund	Current Unrestricted	Total
	8,136,701	5,316,397	13,453,098	~~7,863,148~~ 7,469,991	5,847,577	~~13,710,725~~ 13,317,568
5. Audit	27,300	14,700	42,000			
6. Operation and Maintenance of Physical Plant	3,342,860	1,800,002	5,142,862	~~3,345,750~~ 3,178,462	1,925,153	~~5,270,903~~ 5,103,615
7. Scholarships and Fellowships		896,879	896,879		954,922	954,922
Total	28,329,202	17,033,329	45,362,531	~~27,643,535~~ 24,979,583	~~17,810,022~~ 19,091,797	~~45,453,557~~ 44,071,380

The appropriation in item 5 is for the biennium. Total audit costs are estimated to be $84,000 for the biennium. Fifty percent of these costs are to be paid from funds other than those appropriated in items 1 through 7.

Eighty-five percent of all indirect cost reimbursements shall be deposited in the current unrestricted fund. To the extent this portion of the reimbursements deposited to the current unrestricted fund at Montana State University exceeds $935,000 each fiscal year of the biennium, the general fund appropriated for that year is reduced a like amount.

UNIVERSITY OF MONTANA

1. Instruction	12,104,759	6,488,562	18,593,321	~~12,163,452~~ 10,315,870	~~6,574,641~~ 7,561,121	~~18,738,093~~ 17,876,991
2. Research		428,813	428,813	~~281,547~~ 267,470	151,602	~~433,149~~ 419,072
a. MONTCLIRC	87,500		87,500	~~75,500~~ 71,725		~~75,500~~ 71,725
3. Public Service	128,632	69,264	197,896	~~129,520~~ 123,044	69,741	~~199,261~~ 192,785
4. Academic Support, Student Services, and Institutional Support	6,744,889	3,898,864	10,643,753	~~6,546,823~~ 6,219,482	4,373,345	~~10,920,168~~ 10,592,827
5. Audit	24,570	13,230	37,800			
6. Operation and Maintenance of Physical Plant	3,294,760	1,774,102	5,068,862	~~3,386,828~~ 3,217,487	1,823,676	~~5,210,504~~ 5,041,163
7. Scholarships and Fellowships		937,840	937,840		996,102	996,102
Total	22,385,110	13,610,675	35,995,785	~~22,583,670~~ 20,215,078	~~13,989,107~~ 14,975,587	~~36,572,777~~ 35,190,665

The appropriation in item 5 is for the biennium. Total audit costs are estimated to be $75,600 for the biennium. Fifty percent of these costs are to be paid from funds other than those appropriated in items 1 through 7.

Eighty-five percent of all indirect cost reimbursements shall be deposited in the current unrestricted fund. To the extent this portion of the reimbursements deposited to the current unrestricted fund at the University of Montana exceeds $400,000 each fiscal year of the biennium, the general fund appropriated for that year is reduced a like amount.

The University of Montana shall charge fees for legal services related to MONTCLIRC. These fees must be deposited into a separate designated fund.

EASTERN MONTANA COLLEGE

1. Instruction	4,382,178	2,359,300	6,741,478	~~4,321,926~~ 3,683,980	~~2,398,989~~ 2,820,839	~~6,720,915~~ 6,504,819
2. Public Service	143,374	77,202	220,576	~~144,238~~ 137,026	77,667	~~221,905~~ 214,693
3. Academic Support, Student Services, and Institutional Support	3,104,652	1,465,176	4,569,828	~~3,047,472~~ 2,895,098	1,681,948	~~4,729,420~~ 4,577,046
4. Audit	24,570	13,230	37,800			
5. Operation and Maintenance of Physical Plant	1,264,648	680,964	1,945,612	~~1,300,943~~ 1,235,041	700,023	~~2,000,966~~ 1,935,064
6. Scholarships and Fellowships		313,719	313,719		342,954	342,954
Total	8,919,422	4,909,591	13,829,013	~~8,813,679~~ 7,951,145	~~5,201,581~~ 5,623,431	~~14,015,260~~ 13,574,576

The appropriation in item 4 is for the biennium. Total audit costs are estimated to be $50,400 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 6.

Eighty-five percent of all indirect cost reimbursements shall be deposited in the current unrestricted fund. To the extent this portion of the reimbursements deposited to the current unrestricted fund at Eastern Montana College exceeds $85,000 each fiscal year of the biennium, the general fund appropriated for that year is reduced a like amount.

	Fiscal 1986			Fiscal 1987		
	General Fund	Current Unrestricted	Total	General Fund	Current Unrestricted	Total
NORTHERN MONTANA COLLEGE						
1. Instruction						
	2,742,173	1,464,487	4,206,660	~~2,719,321~~	~~1,509,385~~	~~4,228,706~~
				2,388,655	1,704,085	4,092,740
2. Public Service						
	5,920	3,187	9,107	~~5,978~~	3,219	~~9,197~~
				5,679		8,898
3. Academic Support, Student Services, and Institutional Support						
	2,008,931	203,295	2,212,226	~~2,028,264~~	289,656	~~2,317,920~~
				1,926,851		2,216,507
4. Audit						
	20,475	11,025	31,500			
5. Operation and Maintenance of Physical Plant						
	585,111	315,060	900,171	~~596,434~~	321,157	~~917,591~~
				566,612		887,769
6. Scholarships and Fellowships						
		249,568	249,568		272,590	272,590
Total						
	5,362,610	2,246,622	7,609,232	~~5,349,997~~	~~2,396,007~~	~~7,746,004~~
				4,887,797	2,590,707	7,478,504

The appropriation in item 4 is for the biennium. Total audit costs are estimated to be $42,000 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 6.

Eighty-five percent of all indirect cost reimbursements shall be deposited in the current unrestricted fund. To the extent this portion of the reimbursements deposited to the current unrestricted fund at Northern Montana College exceeds $20,000 each fiscal year of the biennium, the general fund appropriated for that year is reduced a like amount.

WESTERN MONTANA COLLEGE						
1. Instruction						
	1,104,649	589,996	1,694,645	~~1,090,385~~	~~606,038~~	~~1,696,423~~
				932,026	709,878	1,641,904
2. Academic Support, Student Services, and Institutional Support						
	1,194,208	305,687	1,499,895	~~1,209,226~~	356,299	~~1,565,525~~
				1,148,764		1,505,063
3. Audit						
	19,500	10,500	30,000			
4. Operation and Maintenance of Physical Plant						
	434,852	234,151	669,003	~~457,409~~	246,297	~~703,706~~
				434,539		680,836
5. Scholarships and Fellowships						
		75,404	75,404		82,630	82,630
Total						
	2,753,209	1,215,738	3,968,947	~~2,757,020~~	~~1,291,264~~	~~4,048,284~~
				2,515,329	1,395,104	3,910,433

The appropriation in item 3 is for the biennium. Total audit costs are estimated to be $40,000 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 5.

Eighty-five percent of all indirect cost reimbursements shall be deposited in the current unrestricted fund. To the extent this portion of the reimbursements deposited to the current unrestricted fund at Western Montana College exceeds $14,000 in each fiscal year of the biennium, the general fund appropriated for that year is reduced a like amount.

MONTANA COLLEGE OF MINERAL SCIENCE & TECHNOLOGY						
1. Instruction						
a. Instruction Program						
	2,598,940	1,593,128	4,192,068	~~2,690,548~~	~~1,500,639~~	~~4,191,187~~
				2,299,666	1,851,994	4,151,660
b. Phase-Down						
	362,031		362,031			
2. Research						
	27,167	14,629	41,796	~~27,521~~	14,819	~~42,340~~
				26,145		40,964
3. Academic Support, Student Services, and Institutional Support						
	1,848,881	956,211	2,805,092	~~1,787,956~~	~~1,137,360~~	~~2,925,316~~
				1,698,558	1,177,360	2,875,918
4. Audit						
	23,400	12,600	36,000			
5. Operation and Maintenance of Physical Plant						
	754,034	406,019	1,160,053	~~882,778~~	475,342	~~1,358,120~~
				838,639		1,313,981
6. Scholarships and Fellowships						
		253,228	253,228		273,073	273,073
Total						
	5,614,453	3,235,815	8,850,268	~~5,388,803~~	~~3,401,233~~	~~8,790,036~~
				4,863,008	3,792,588	8,655,596

The appropriation in item 4 is for the biennium. Total audit costs are estimated to be $48,000 for the biennium. Twenty-five percent of these costs are to be paid from funds other than those appropriated in items 1 through 6.

Eighty-five percent of all indirect cost reimbursements shall be deposited in the current unrestricted fund. To the extent this portion of the reimbursements deposited to the current unrestricted fund at the Montana College of Mineral Science and Technology exceeds $150,000 in each year of the biennium, the general fund appropriated for that year is reduced a like amount.

The appropriation in item 1b is for the biennium.

Fiscal 1986					Fiscal 1987				
General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total	General Fund	State Special Revenue	Federal Special Revenue	Proprietary	Total
TOTAL SECTION F									
88,977,714	50,838,932	1,508,419		141,325,065	~~88,684,779~~ 79,820,795	~~52,261,785~~ 56,582,486	1,570,591		~~142,517,155~~ 137,973,872

NOTE: The total of state special revenues for section F includes the following amounts of current unrestricted funds:
Fiscal 1986 ——— $48,417,290
Fiscal 1987 ——— ~~$49,580,412~~ $52,960,412

TOTAL STATE FUNDING									
347,906,629	342,065,625	392,596,546	55,180,325	1,137,749,125	353,963,538	303,333,476	373,461,339	56,458,893	1,087,217,246

Section 18. Effective date. This act is effective July 1, 1985."

Section 2. Section 1, House Bill 922, Laws of 1985, is amended to read:

"Section 1. Appropriations for grants. (1) There is appropriated to the Department of Natural Resources and Conservation ~~the balance in~~ $4,145,789 from the resource indemnity trust interest account~~, including any funds remaining unexpended at the end of fiscal year 1985~~.

(2) The funds appropriated in this section must be awarded by the Department of Natural Resources and Conservation to the entities listed in section 3 for the described purposes and in the described grant amounts, subject to the conditions described in section 6."

Section 3. Section 3(2), Item 6, House Bill 922, Laws of 1985, is amended to read:

PROJECT	GRANT AMOUNT
"6. DEPARTMENT OF HEALTH AND ENVIRONMENTAL SCIENCES	~~$800,000~~
Hazardous Waste Management Collection and Transfer Project	$747,313"

NEW SECTION. Section 4. Administrative expenses of House Bill 922 grant program — appropriation reduction. Administrative expenses appropriated to the Department of Natural Resources and Conservation in section 2(3)(b), House Bill 922, Laws of 1985, for grant administration are reduced from $277,000 to $108,000.

Section 5. Section 75-1-1101, MCA, is amended to read:

"75-1-1101. Environmental contingency account objectives. (1) There is created an environmental contingency account within the state special revenue fund established in 17-2-102. The environmental contingency account is controlled by the governor.

(2) Except as provided in subsection (5), at the beginning of each fiscal year, 5% of the funds appropriated to the department of natural resources and conservation from the resource indemnity trust interest account, not to exceed $175,000 in fiscal year 1987, must be allocated to the environmental contingency account.

(3) Funds are statutorily appropriated, as provided in 17-7-502, from the environmental contingency account upon the authorization of the governor to meet unanticipated public needs consistent with the following objectives:

(a) to support water development projects in communities that face an emergency or imminent need for such services or to prevent the physical failure of a water project;

(b) to preserve vegetation, water, soil, fish, wildlife, or other renewable resources from an imminent physical threat or during an emergency, not including:

(i) natural disasters adequately covered by other funding sources; or

(ii) fire;

(c) to respond to an emergency or imminent threat to persons, property, or the environment caused by mineral development; and

(d) to fund the environmental quality protection fund provided for in 75-10-704 or to take other necessary actions, including the construction of facilities, to respond to actual or potential threats to persons, property, or the environment caused by hazardous wastes or other hazardous materials.

(4) The environmental contingency account may receive no additional allocation for any fiscal year in which the balance in the account exceeds $1,000,000 at the beginning of that fiscal year.

(5) Interest from funds in the environmental contingency account accrues to the resource indemnity trust interest account.

(6) The governor shall submit to the legislature at the beginning of each regular session a complete financial report on the environmental contingency account, including a description of all expenditures made since the preceding report."

NEW SECTION. Section 6. Agricultural assistance and counseling program — appropriation reduction. The general fund appropriation to the Department of Agriculture to implement the agricultural assistance and counseling program in section 14, Chapter 9, Special Laws of March 1986, is reduced from $350,000 to $332,500.

NEW SECTION. Section 7. Montana Science and Technology Development Board — appropriation reduction. The appropriation from the alternative energy and energy conservation research development and demonstration account to the Department of Commerce for use of the Montana Science and Technology Development Board in section 13, Chapter 701, Laws of 1985, is reduced from $2,000,000 to $1,963,610.

Section 8. Section 2, House Bill 961, Laws of 1985, is amended to read:

"Section 2. Appropriation. (1) There is appropriated $150,000 from the general fund to the Montana Historical Society for the fiscal year ending June 30, 1985, to be used for the purpose of section 1. The balance of such funds not expended in fiscal year 1985 is appropriated for the biennium ending June 30, 1987, for the same purpose.

(2) There is appropriated $150,000 from the cultural and aesthetics projects account to the Montana Historical Society for the fiscal year ending June 30, 1987, for the purpose of section 1. This appropriation will require an interaccount loan from the general fund which must be repaid from the coal tax park acquisition trust interest income to the cultural and aesthetic project account by June 30, 1991. For repayment, in whole or in part, of such loan, the remaining balance in the cultural and aesthetic project account on June 30, 1987, after funding Chapter 732, Laws of 1985, must be transferred to the general fund in an amount not to exceed such loan balance.

(3) There is appropriated from other special revenue funds any money received from gifts and grants by the Society and available for the purpose of section 1."

NEW SECTION. Section 9. Fish, Wildlife, and Parks land acquisition — Lake Elmo, Billings. Subject to the conditions and limitations provided in section 7, House Bill 928, Laws of 1985, the following money is appropriated to the Department of Fish, Wildlife, and Parks in the indicated amount for the purpose of land acquisition:

Lake Elmo, Billings	$322,500	Coal Tax Park Acquisition
	$277,500	Federal

NEW SECTION. Section 10. Cultural and aesthetic grant funds — change in priority. (1) The reference to "subsections (2) through (4)" in section 5, Chapter 732, Laws of 1985, is changed to read "subsections (2) through (5)".

(2) The listing of projects in section 5(2)(a), Chapter 732, Laws of 1985, is amended by striking from the list "Powell County Museum and Arts Foundation 32,000".

(3) Section 5, Chapter 732, Laws of 1985, is amended by inserting a new subsection (5) that reads:

"(5) After all appropriations in subsections (1) through (4) are met, there is appropriated $32,000 to the Powell County Museum and Arts Foundation."

NEW SECTION. Section 11. Repealer. Section 10, Chapter 717, Laws of 1985, is repealed.

NEW SECTION. Section 12. Effective date. This act is effective on passage and approval."

And, as amended, do pass. Report adopted.

TAXATION (Devlin, Chairman): 6/19/86
SB 3, be concurred in. Report adopted.

Adverse Committee Report

STATE ADMINISTRATION (Sales, Chairman): 6/19/86
HB 17, do not pass.

MOTIONS

Representative Miles present at this time.

Representative Wallin moved that consideration of HB 8, second reading, be postponed until Monday, June 23. Motion failed. (43-55)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 34, introduced by Devlin, Keyser, Switzer, E. Smith, Keating. Referred to Committee on Taxation.

HB 35, introduced by Menahan, Quilici, J.K. Moore, Kitselman, Keating, Keenan, Devlin, Halligan, Shaw, Daniels. Referred to Committee on Taxation.

HB 36, introduced by Addy, Keating, Menahan, Rapp-Svrcek, Regan, Stephens, Montayne, Donaldson, Driscoll, Neuman, Bradley, (By Request of the Department of Institutions). Referred to Committee on Appropriations.

HB 37, introduced by Cobb, Hannah, Gould. Referred to Committee on State Administration.

HB 38, introduced by Williams, Blaylock, Conover, Towe, Quilici, Schye, Addy, Keenan, Peck, McCormick, Ream. Referred to Committee on Taxation.

HB 39, introduced by Peck, (By Request of the Department of Natural Resources and Conservation). Referred to Committee on Natural Resources.

MOTIONS

Representative Harper moved that the House stand in recess until 9:00 a.m. Motion carried.

House recessed at 8:20 a.m.

House reconvened at 9:10 a.m.

Mr. Speaker in the Chair.

Representatives Donaldson and Phillips excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Quilici moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Harrington in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Phillips present at this time.

HJR 1 - Representative Harp moved that HJR 1 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: Cohen.
Total 1

Excused: Donaldson, Ellerd, Fritz, Garcia, Krueger, J. Moore.
Total 6

Absent or not voting: None.
Total 0

HB 1 - Representative Vincent moved that HB 1, second reading copy, be amended as follows:

1. Title, line 8.

Following: ";"
Insert: "APPROPRIATING MONEY FOR CONDUCTING A COMPREHENSIVE STUDY OF MONTANA TAXATION;"

2. Page 1.
Following: line 25
Insert: "Section 3. Appropriation — comprehensive tax study. There is appropriated from the general fund to the Legislative Council for the biennium ending June 30, 1987, $25,000 for the purpose of the Revenue Oversight Committee conducting a comprehensive study of Montana taxation."
Renumber: subsequent section

Representatives Donaldson and J. Moore present at this time.

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Gilbert, Gould, Grady, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Thoft, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 83

Noes: Asay, Driscoll, Glaser, Hannah, Hanson, Jenkins, Jones, O'Hara, Patterson, Phillips, Switzer, Thomas.
Total 12

Excused: Ellerd, Fritz, Garcia, Krueger.
Total 4

Absent or not voting: Mercer.
Total 1

Representative Harp excused at this time.

Representative J.K. Moore moved that HB 1, second reading copy, be further amended. Amendment failed. (43-53)

HB 1, as amended, passed by the following vote:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Gilbert, Gould, Grady, Hand, Hannah, Hansen, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 85

Noes: Bardanouve, Ellison, Glaser, Hanson, Jenkins, J.K. Moore, Patterson, Phillips, Sales, Switzer.
Total 10

Excused: Ellerd, Fritz, Garcia, Harp, Krueger.
Total 5

Absent or not voting: None.
Total 0

HB 6 - Representative Donaldson moved that HB 6 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: Hansen, Miller, O'Connell.
Total 3

Paired: Ellerd, Aye; Hansen, No.

Excused: Fritz, Garcia, Harp, Krueger.
Total 4

Absent or not voting: None.
Total 0

HB 8 - Representative Wallin moved that HB 8 do pass. Motion failed. (38-60)

Representative Harper moved that HB 8 do not pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Ellison, Ernst, Glaser, Hand, Hannah, Hansen, Harbin, Harper, Hart, Holliday, Howe, Iverson, Kadas, Keenan, Koehnke, Lory, Mercer, Miles, Miller, Montayne, J. Moore, Neill, Nisbet, Patterson, Peck, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schultz, Schye, Spaeth, Stang, Swift, Thoft, Thomas, Veleber, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 58

Noes: Brandewie, Campbell, Cobb, Compton, Donaldson, Eudaily, Gilbert, Gould, Grady, Hanson, Harrington, Hayne, Jenkins, Jones, Keller, Kennerly, Keyser, Kitselman, McCormick, Manuel, Marks, Menahan, J.K. Moore, Nathe, Nelson, O'Connell, O'Hara, Pavlovich, Peterson, Ramirez, Rehberg, Sales, Sands, Simon, Smith, Wallin.
Total 36

Excused: Ellerd, Fritz, Garcia, Harp, Krueger.
Total 5

Absent or not voting: Switzer.
Total 1

Representative Harp present at this time.

HB 15 - Representative Lory moved that HB 15, second reading copy, be amended. Amendment failed. (41-55)

Representative Manuel moved that HB 15 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: D. Brown, Cohen, Hansen, Ream.
Total 4

Paired: Ellerd, Aye; Ream, No.

Excused: Fritz, Garcia, Krueger.
Total 3

Absent or not voting: None.
Total 0

SB 3 - Representative Bardanouve moved that SB 3 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Cobb.
Total 1

Excused: Ellerd, Fritz, Garcia, Krueger.
Total 4

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Harrington moved the adoption of the committee report. Report adopted. (94-2)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HJR 1 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Cohen.
Total 1

Excused: Ellerd, Fritz, Garcia, Krueger.
Total 4

Absent or not voting: None.
Total 0

HB 1 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Gilbert, Gould, Grady, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 85

Noes: Bardanouve, Ellison, Glaser, Hanson, Jenkins, J.K. Moore, Nathe, Patterson, Phillips, Ramirez, Sales.
Total 11

Excused: Ellerd, Fritz, Garcia, Krueger.
Total 4

Absent or not voting: None.
Total 0

HB 6 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick,

Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: Hansen, Miller, O'Connell.
Total 3

Paired: Ellerd, Aye; Hansen, No.

Excused: Fritz, Garcia, Krueger.
Total 3

Absent or not voting: None.
Total 0

HB 15 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Switzer, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: D. Brown, Cohen, Glaser, Hansen, Kadas, Ream, Swift, Thoft.
Total 8

Paired: Ellerd, Aye; Ream, No.

Excused: Fritz, Garcia, Krueger.
Total 3

Absent or not voting: None.
Total 0

SB 3 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Cobb.
Total 1

Excused: Ellerd, Fritz, Garcia, Krueger.
Total 4

Absent or not voting: None.
Total 0

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 78 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 20th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 20th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, various groups have studied the Workers' Compensation system in Montana but they have been making conflicting recommendations; and

WHEREAS, revision of the Workers' Compensation Act is going to be a Legislative responsibility in the near future; and

WHEREAS, the Legislature itself should study the issues involved and be prepared to discuss legislation during the regular session beginning January 1987; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation to study the Montana Workers' Compensation system by an appropriate interim

committee of the Legislature and to provide appropriate funding for such a study.

Members of the 49th Legislature:

Pistoria
Garcia
Hansen
Rehberg
Quilici
Manuel
Brandewie
Peck
Bachini
McCormick
Kennerly
Ream
Miles
Kitselman
Nisbet
Darko
Harbin
C. Smith
Ellison
Wallin
Harrington
O'Connell
Montayne
Veleber
Stang
M. Williams
J.K. Moore
Swift
Boylan
Thoft
Gilbert
Cobb
Donaldson
Severson
Winslow
Lybeck
Pinsoneault
Blaylock
B. Brown
Connelly
Addy
Spaeth
Lory
Driscoll
Harp
Kadas
Hart
Pavlovich
Koehnke
Bradley
Keenan
Krueger
J. Moore
Schye
Raney
Jones
Peterson
Hayne
Keller
Cohen
Howe
Cody
Poff
Rapp-Svrcek
Menahan
Daniels
Glaser
Hanson
Schultz
Hannah
Neill
O'Hara
D. Brown
Hirsch
Weeding
Manning
Conover
Harding

MOTIONS

Representative Bradley moved that J.K. Moore be added as a sponsor to HB 28. Motion carried.

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House stand in recess until 4:30 p.m. Motion carried.

House recessed at 10:52 a.m.

House reconvened at 4:30 p.m.

Mr. Speaker in the Chair.

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 77 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 20th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 20th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the Board of Regents of Higher Education is conducting studies on the long-term direction of higher educational institutions within the State of Montana; and

WHEREAS, these studies appear to be both appropriate and timely given the economic conditions of the State; and

WHEREAS, it would be appropriate for the products of such studies to be available to the 50th Legislature; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider a joint resolution requesting the Board of Regents to prepare a report for the 50th Legislature on the long-term direction of higher education institutions.

Members of the 49th Legislature:

Jacobson Towe

Stimatz
Eck
Haffey
Iverson
D. Brown
Lynch
Kadas
Hammond
Thayer
Anderson
Shaw
E. Smith
Gage
Keating
Stephens
Harding
J. Moore
Donaldson
Lory
Peck
M. Williams
O'Connell
Stang
Pavlovich
Veleber
Hansen
Bradley
Zabrocki
Kennerly
Harper
Hart
Miles
Halligan
Weeding
Mohar
Bengtson
Yellowtail
B. Williams

Christiaens
Daniels
Neuman
Quilici
Krueger
Keenan
Galt
Farrell
Severson
Driscoll
Simon
Cobb
Tveit
Hager
McCallum
Kolstad
Harrington
Eudaily

Bachini
McCormick
Ream
Hand
J. Brown
Mercer
Connelly
Koehnke
Howe
Spaeth
Addy
Manuel
Montayne
Conover
Nisbet
Mazurek
Blaylock
Manning
Boylan

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 78 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 20th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman,

President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 20th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE FOR A CALL OF SPECIAL SESSION

WHEREAS, in 1981 the State stopped the property taxation of light motor vehicles and substituted a graduated fee system based upon age and weight of the vehicle; and

WHEREAS, the fee system provides less revenue than the former property tax system to local governments thus requiring the state general fund to expend funds to make up some of this difference; and

WHEREAS, the fee system contains inequities because the fee structure relates to the weight and age of a vehicle resulting in inequities between expensive light-weight vehicles used mainly for personal use by those who can afford a higher fee and inexpensive utilitarian heavy vehicles such as pickup trucks; and

WHEREAS, the fee system suffered from the effects of inflation and vehicle numbers since its inception because the formulas are not exactly responsive to vehicle distribution and the effects of inflation; and

WHEREAS, a flat two percent tax on the depreciated (present retail) value of light vehicles would generate greater revenues in a more equitable manner and would remain correct for years because revenues would adjust automatically because the system would be based on vehicle values; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation replacing the current schedule of light vehicle fees based upon age and weight with a percentage ad valorum tax based upon the depreciated value of the vehicle.

Members of the 49th Legislature:

E. Smith	Sales
Tveit	Gage
Zabrocki	Schye
Weeding	Kadas
Poff	Keenan
Hirsch	Jenkins
Cobb	Kitselman

Hammond
Hansen
Cody
Neill
Nisbet
Driscoll
Montayne
Donaldson
McCallum
Crippen
Stephens
Shaw
Fuller
Boylan
Ernst
Conover
Aklestad
Anderson
Mercer
B. Williams
Thoft
Grady
Harp
Campbell
Marks
Compton
Rehberg
Ellison
Hayne
Veleber
Stang
Peck
Switzer
Devlin
Darko
Menahan
Miles
Lory
J. Moore
Bradley
Severson
B. Brown
Spaeth
Keller
Ramirez
Nathe
Asay
Kolstad
Keating
Farrell
Galt
Pinsoneault
Glaser
Schultz
Hanson
Swift
Iverson
Gilbert
Nelson
Peterson
C. Smith
Jones
Ream
Van Valkenburg

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/20/86
Correctly printed: HB 11, HB 31.

APPROPRIATIONS (Bardanouve, Chairman): 6/20/86
HB 31, do pass. Report adopted.

LOCAL GOVERNMENT (Darko, Chairman): 6/20/86
HB 11, introduced bill, be amended as follows:

1. Title, line 5.
Strike: "OFFICIALS"
Insert: "COMMISSIONERS"
Following: "THEIR"
Insert: "AND ALL OTHER COUNTY OFFICIALS'"
Following: "SALARIES"
Insert: "UNIFORMLY"
Following: "AT THE"
Strike: "JUNE 30, 1986,"
Insert: "PRIOR FISCAL YEAR"

2. Title, lines 6 and 7.
Strike: "IF" on line 6 through "LAW" on line 7

3. Page 1, line 15.
Strike: "<u>, but a justice of the peace</u>"
Insert: "and".

4. Page 1, line 16.
Following: "year"
Insert: ", in conjunction with other officers as provided in 7-4-2504(1)"
Strike: "his salary"
Insert: "their salaries"

5. Page 1, line 17.
Strike: "June 30, 1986,"
Insert: "prior fiscal year"
Following: "if that"
Strike" "level is lower than the level"

6. Page 1, line 18.
Strike: "set by the resolution"
Insert: "does not result in a reduction in salary"

7. Page 2, line 8.
Following: "in"
Strike: "subsection"
Insert: "subsections (1) and"

8. Page 2, line 17.
Following: "but"
Strike: "a"
Insert: "the"

9. Page 2, line 18.
Following: "county"
Strike: "commissioner"
Insert: "commissioners"

10. Page 2, line 19.
Following: "year"
Insert: ", in conjunction with other officers as provided in 7-4-2504(1)"
Following: "set"
Strike: "his salary"
Insert: "their salaries"
Strike: "June 30, 1986,"
Insert: "prior fiscal year"

11. Page 3, line 5.
Following: "but"
Strike: "a"
Insert: "the"
Strike: "commissioner"
Insert: "commissioners"

12. Page 3, line 6.
Following: "year"
Insert: ", in conjunction with other officers as provided in 7-4-2504(1)"
Strike: "his salary"
Insert: "their salaries"
Strike: "June"

13. Page 3, line 7.
Strike: "30, 1986,"
Insert: "prior fiscal year"

14. Page 4, lines 15 and 16.

Following: "same" on line 15
Strike: ", but" on line 15 and "an officer" on line 16
Insert: "and"

15. Page 4, line 17.
Following: "year"
Insert: ", in conjunction with other officers as provided in 7-4-2504(1)"
Following: "set"
Strike: "his salary"
Insert: "their salaries"
Strike: "June 30, 1986,"
Insert: "prior fiscal year"
Following: "level"
Strike: "if that"

16. Page 4, line 18.
Strike: "level" through "board"

17. Page 6, line 25.
Following: "However,"
Strike: "a"

18. Page 7, line 1.
Strike: "county attorney"
Insert: "the county commissioners"

19. Page 7, line 2.
Following: "year"
Insert: ", in conjunction with other officers as provided in 7-4-2504(1)"
Following: "set"
Strike: "his"
Insert: "the"
Strike: "June 30, 1986,"
Insert: "prior fiscal year"

20. Page 7, line 7.
Following: "years"
Insert: "unless salaries were set for the fiscal year based upon salaries received in the prior fiscal year. In such case the cost-of-living increment that would have been received for such fiscal year, computed on the prior fiscal year, may not be added to previous increments"

21. Page 7, line 22.
Following: "increase"
Insert: ", but years of service during any year in which the salary was set based upon the salary of the prior fiscal year may not be included in any calculation of longevity increases"

23. Page 9, lines 2 and 3.
Strike: "Any" on line 2 through "subsection" on line 3
Insert: "The county governing body"

24. Page 9, line 4.
Following: "year"
Insert: ", in conjunction with the same action on the salaries of justices of the peace (if applicable), the county governing body, county attorney, and coroner"
Following: "set"
Strike: "his"

Insert: "the"

25. Page 9, line 5.
Following: line 4
Strike: "June 30, 1986,"
Insert: "prior fiscal year"

26. Page 9, line 9.
Following: "years"
Insert: "unless salaries were set for the fiscal year based upon salaries received in the prior fiscal year. In such case the cost-of-living increment that would have been received for such fiscal year, computed on the prior fiscal year, may not be added to previous increments"

27. Page 9, line 17.
Strike: ", but the coroner"
Insert: "and"

28. Page 9, line 18.
Following: "year"
Insert: ", in conjunction with other officers as provided in subsection (1)"
Following: "set"
Strike: "his"
Insert: "the"
Strike: "June 30, 1986,"
Insert: "prior fiscal year"

29. Page 9, line 19.
Strike: "if" through "resolution"

And, as amended, do pass. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 6/20/86
SB 2, be concurred in. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 40, introduced by Cobb, Gould, J. Brown, Keenan, Winslow, O'Hara, Hannah, Neill, Harper, Jacobson, Neuman, Mercer. Referred to Committee on Human Services and Aging.

HB 41, introduced by J.K. Moore, Boylan, Goodover, Spaeth, Nathe, Miller, Winslow, Rehberg, Lory, Manuel, Thayer, Pinsoneault, Gage, Aklestad, Hammond. Referred to Committee on Human Services and Aging.

Representative Harper moved that the House adjourn until 8:00 a.m., June 21, 1986.

Motion carried.

House adjourned at 5:00 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

SIXTH LEGISLATIVE DAY

Helena, Montana
June 21, 1986

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Fritz, Ellerd, C. Smith, D. Brown, Garcia, Keenan, Kadas, excused. Quorum present.

MOTIONS

Representative Spaeth moved that J.K. Moore be added as a sponsor to HB 31. Motion carried.

Representative Donaldson moved that J.K. Moore, Thomas, Brandewie, Peterson, Ellison, and Nelson be added as sponsors to HB 9. Motion carried.

Representative Sands moved that Rehberg and J. Brown be added as sponsors to HB 22. Motion carried.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 42, introduced by Lory, Addy, Harper, Eudaily. Referred to Committee on Appropriations.
HB 43, introduced by Cobb. Referred to Committee on Appropriations.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative J.K. Moore in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Garcia, Kadas, and Keenan present at this time.

HB 30 - Representative Bardanouve moved that HB 30 do pass.

SECTION A. GENERAL GOVERNMENT AND HIGHWAYS

Representative Quilici explained Section A to the Committee.

Representative Quilici moved that HB 30, Section A, be amended as follows:

1. Title, line 9.
Following: "BOARD"
Insert: ", FOR THE LEGISLATIVE COUNCIL FOR USE BY THE COMMITTEE ON INDIAN AFFAIRS,"

2. Page 13, line 15.
Strike: "the 1987 biennium"
Insert: "fiscal 1986"

3. Page 13, line 24.
Strike: "c. Equipment"

4. Page 14, line 15.
Strike: "Item 1c is a biennial appropriation."

5. Page 14, lines 16 and 17.
Strike: all material on lines 16 and 17

6. Page 21, lines 12 through 14.
Strike: "and $752,312" on line 12 through "approved" on line 14

7. Page 111.
Following: line 23
Insert: "NEW SECTION. Section 8. Committee on Indian Affairs — appropriation reduction. The appropriation to the Legislative Council from the general fund for use by the Committee on Indian Affairs in Section 10, Chapter 675, Laws of 1985, is reduced from $6,000 to $5,000."
Renumber: subsequent sections

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: D. Brown, Ellerd, Fritz, Krueger, Smith.
Total 5

Absent or not voting: Ramirez, Spaeth.
Total 2

Representative Keyser moved that HB 30, Section A, be further amended as follows:

1. Page 23, line 11.
Strike: "2,698,258 2,705,102"
Insert: "2,568,878 2,575,722"

The Legislative Fiscal Analyst will amend totals affected.

Amendment passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, McCormick, Marks, Mercer, Miller, J. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 49

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Garcia, Grady, Hand, Hansen, Harbin,

Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Lory, Manuel, Menahan, Miles, Montayne, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Stang, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 45

Excused: D. Brown, Ellerd, Fritz, Krueger, Smith.
Total 5

Absent or not voting: J.K. Moore.
Total 1

Representative D. Brown present at this time.

Representative Asay moved that HB 30, Section A, be further amended as follows:

1. Page 35, line 11.
Strike: "64,493,780"
Insert: "68,065,747"

The Legislative Fiscal Analyst will amend totals affected.

Amendment passed as follows:

Ayes: Asay, Bachini, Bradley, D. Brown, Campbell, Cobb, Cody, Cohen, Devlin, Donaldson, Driscoll, Eudaily, Garcia, Gilbert, Glaser, Grady, Hannah, Hanson, Harrington, Hayne, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Menahan, Mercer, Miller, Montayne, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Ream, Schye, Swift, Switzer, Thoft, Wallin, Winslow.
Total 54

Noes: Abrams, Addy, Brandewie, J. Brown, Compton, Connelly, Darko, Ellison, Ernst, Hand, Hansen, Harbin, Harp, Harper, Hart, Holliday, Howe, Iverson, Kadas, Kennerly, Manuel, Miles, J.K. Moore, Nathe, Poff, Quilici, Raney, Rapp-Svrcek, Rehberg, Sands, Schultz, Simon, Spaeth, Stang, Thomas, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 39

Excused: Ellerd, Fritz, Krueger, Smith.
Total 4

Absent or not voting: Bardanouve, Gould, Sales.
Total 3

Representative Pavlovich excused at this time.

SECTION B. HUMAN SERVICES

Representative Winslow explained Section B to the Committee.

Representative Miles moved that HB 30, Section B, be amended. Amendment failed. (32-60)

SECTION C. NATURAL RESOURCES

Representative Manuel explained Section C to the Committee.

Representative Manuel moved that HB 30, Section C, be amended as follows:

1. Page 66, line 10.
Strike: "$3,428,718"

Insert: "$2,866,837"

The Legislative Fiscal Analyst will amend totals affected.

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Ellerd, Fritz, Krueger, Pavlovich, Smith.
Total 5

Absent or not voting: Asay, D. Brown, Keenan, Quilici.
Total 4

Representative Ream moved that HB 30, Section C, be further amended as follows:

1. Page 68, line 16.
Strike: "1,809,788"
Insert: "1,859,788"

The Legislative Fiscal Analyst will amend totals affected.

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ernst, Eudaily, Garcia, Glaser, Grady, Hannah, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Spaeth, Stang, Thoft, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 82

Noes: Campbell, Ellison, Gilbert, Gould, Hand, Jones, Phillips, Sands, Swift, Switzer, Thomas.
Total 11

Excused: Ellerd, Fritz, Krueger, Pavlovich, Smith.
Total 5

Absent or not voting: D. Brown, Harper.
Total 2

Representative Cohen moved that HB 30, Section C, be further amended. Amendment failed. (16-77)

Representative Cody moved that HB 30, Section C, be further amended. Amendment failed. (22-73)

Representative Schye moved that HB 30, Section C, be further amended. Amendment failed. (37-54)

SECTION D. DEPARTMENT OF INSTITUTIONS

Representative Menahan explained Section D to the Committee.

Representative Simon moved that HB 30, Section D, be amended. Amendment failed. (35-60)

SECTION E. OTHER EDUCATION

Representative Donaldson explained Section E to the Committee.

SECTION F. HIGHER EDUCATION

Representative Donaldson explained Section F to the Committee.

Representative Hannah moved that HB 30, Section F, be amended as follows:

1. Page 98.
Following: line 23
Insert: "Beginning in fiscal 1987, students supported by the WICHE, WAMI, and Minnesota Rural Dentistry Programs shall be responsible for repaying the state for their out-of-state fees. Repayment will commence within one year from graduation or leaving the program and be fully repaid within ten years at 5% interest. The provisions of this amendment are to be administered by the Commissioner of Higher Education. A proprietary account shall be established for the purpose of collecting the principal and interest payments."

Amendment passed as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Driscoll, Ellison, Ernst, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Marks, Mercer, Miller, Montayne, Nathe, Neill, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Stang, Swift, Switzer, Thomas, Wallin, Williams, Winslow, Zabrocki.
Total 62

Noes: Abrams, Bradley, D. Brown, Cohen, Connelly, Darko, Donaldson, Eudaily, Grady, Hansen, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Lory, McCormick, Manuel, Menahan, Miles, J.K. Moore, J. Moore, Nelson, Nisbet, O'Connell, Quilici, Ream, Schye, Veleber, Mr. Speaker.
Total 32

Excused: Ellerd, Fritz, Pavlovich, Smith.
Total 4

Absent or not voting: Krueger, Thoft.
Total 2

Representative D. Brown moved that HB 30, Section F, be further amended as follows:

1. Hannah's amendment of 6/21/86, 9:15 a.m., line 5 of inserted material.
Strike: "one"
Insert: "three"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: Rapp-Svrcek, Sales.
Total 2

Excused: Ellerd, Fritz, Pavlovich, Smith.
Total 4

Absent or not voting: Krueger.
Total 1

LONG RANGE PLANNING

Representative Thoft explained the remainder of the bill to the Committee.

HB 30, as amended, passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 87

Noes: D. Brown, Cobb, Cohen, Garcia, Harrington, Kennerly, Patterson, Schye.
Total 8

Excused: Ellerd, Fritz, Pavlovich, Smith.
Total 4

Absent or not voting: Krueger.
Total 1

Representative Harper moved that the committee rise and report. Motion carried: Committee arose. House resumed. Mr. Speaker in the

Chair. Chairman J.K. Moore moved the adoption of the committee report. Report adopted. (88-7)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 30 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: D. Brown, Cobb, Cohen, Garcia, Harrington, Kennerly, Patterson, Schye.
Total 8

Paired: Ellerd, Aye; Cohen, No.

Excused: Fritz, Pavlovich, Smith.
Total 3

Absent or not voting: Krueger.
Total 1

MESSAGES FROM THE GOVERNOR

STATE OF MONTANA
OFFICE OF THE GOVERNOR
PROCLAMATION

MESSAGE TO THE SPECIAL SESSION
OF THE FORTY-NINTH LEGISLATURE

WHEREAS, Article V, Section 6, of the Constitution of the State of Montana provides that the Legislature may be convened in special session by the Governor; and

WHEREAS, Article VI, Section 11, of the Constitution of the State of Montana also provides that whenever the Governor considers it in the public interest, he may convene the Legislature; and

WHEREAS, Section 5-3-101, MCA, specifically provides that the Legislature may be convened in special session by the Governor; and

WHEREAS, a call to the Forty-Ninth Legislature for a special session was proclaimed by me on May 30, 1986; and

WHEREAS, in 1951, the Legislature adopted a law requiring that blind persons receive a preference in leasing of vending stands in state-owned or controlled buildings; and

WHEREAS, in 1981, the Legislature repealed the above-referenced preference and in its place authorized the Department of Social and Rehabilitation Services to implement a blind vendor program under an agreement with the federal government pursuant to the Randolph-Sheppard Act; and

WHEREAS, the Department of Social and Rehabilitation Services operated a blind vendor program but has recently terminated that program; and

WHEREAS, termination of the blind vendor program removes the preference for blind persons in the selection of vendors in state-owned or controlled buildings; and

WHEREAS, adoption of preference for blind vendors over other equal qualified applicants would be consistent with state policy expressed in the previous preference statute and the blind vendor statute; and

WHEREAS, in 1985 the Legislature enacted the Employee and Community Hazardous Chemical Information Act, Title 50, Chapter 78, Part 1, MCA (hereinafter "the Act"); and

WHEREAS, the Act requires an employer to record with the county clerk and recorder material safety data sheets for chemicals used in the workplace; and

WHEREAS, an unanticipated volume and length of material safety data sheets has made the recording of those documents unduly costly to public and private employers; and

WHEREAS, making the recording of material safety data sheets voluntary would substantially reduce the amount of recording, and therefore the amount of fees necessary to comply with the Act; and

WHEREAS, reduced recording fees may increase compliance with the law and thus make hazardous chemical information more available within Montana communities; and

WHEREAS, the recording of workplace chemical lists, already required under the Act, would ensure that appropriate chemical information is available to emergency response personnel and the public if the workplace chemical list were required to include all information necessary for that purpose.

NOW, THEREFORE, I, TED SCHWINDEN, GOVERNOR OF THE STATE OF MONTANA, having called the Forty-Ninth Legislature into special session in Helena, at the Capitol, at the hour of 10:00 a.m., the 16th day of June, 1986, hereby direct the special session of the Forty-Ninth Legislature to also consider legislative action on the following subjects:

1. Adoption, in the leasing, licensing, or other authorization of vending stands in state-owned or controlled buildings, of a preference for blind applicants over any other applicant with substantially equal qualifications; and

2. Amendment of the Community Hazardous Chemical Information Act to make voluntary the recording of material data safety sheets and to modify the requirement for information on the workplace chemical list to provide all information necessary for response personnel and the public in case of emergency.

IN WITNESS WHEREOF, I have hereunto
set my hand and caused the GREAT SEAL
OF THE STATE OF MONTANA to be affixed.
DONE at the City of Helena, the Capital,
this 20th day of June, in the
year of our LORD, one thousand and nine
hundred and eighty-six.

TED SCHWINDEN
Governor of Montana

ATTEST:

JIM WALTERMIRE
Secretary of State

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence:

SB 9, introduced by Van Valkenburg 6/20/86

SB 7, introduced by Van Valkenburg 6/21/86

MOTIONS

Representative Harper moved that the House adopt a special joint rule for this special session as follows:

"The following deadlines apply with respect to all bills that may be requested for drafting or introduction pursuant to any call for a special session to be held concurrently with that of the call of the Governor dated May 30, 1986:

Drafting requests: By 5:00 p.m. the next legislative day following reading of the call for a concurrent session by the Chief Clerk of the House or Secretary of the Senate.

Introduction: By 5:00 p.m. the second legislative day following reading of the call for a concurrent session by the Chief Clerk of the House or Secretary of the Senate.

This rule is effective and applies to all calls for concurrent special sessions upon adoption of this rule."

Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: Cobb.
Total 1

Excused: Ellerd, Fritz, Pavlovich, Smith.
Total 4

Absent or not voting: Bardanouve, Jenkins, Krueger.
Total 3

Representative Harper moved that 5:00 p.m. today be the absolute deadline for drafting requests for any matters covered by the Governor's original call dated May 30, 1986. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin,

Donaldson, Driscoll, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: Hannah.
Total 1

Excused: Ellerd, Fritz, Pavlovich, Smith.
Total 4

Absent or not voting: Bardanouve, Jenkins, Krueger.
Total 3

Representative Harper moved that the House adopt a special joint rule for this special session as follows:

"The Joint Rules Committee shall have the authority to request the drafting of any bill within the scope of Special Session III of the 49th Legislature or any concurrent session and to introduce such bill at any time."

Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, D. Brown, J. Brown, Campbell, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Switzer, Thomas, Veleber, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 77

Noes: Brandewie, Cobb, Cody, Cohen, Connelly, Garcia, Hannah, Harp, Kadas, Miles, Patterson, Phillips, Swift, Winslow.
Total 14

Excused: Ellerd, Fritz, Pavlovich, Smith.
Total 4

Absent or not voting: Bardanouve, Jenkins, Krueger, Manuel, Thoft.
Total 5

REPORTS OF STANDING COMMITTEES

STATE ADMINISTRATION (Sales, Chairman): 6/21/86
HB 13, introduced bill, be amended as follows:

1. Title, line 5.
Following: "LEGISLATORS"
Strike: "AND"
Insert: ","

2. Title, line 6.

Following: "EMPLOYEES"
Insert: ", AND ELECTED COUNTY OFFICIALS"
Following: "2-16-405,"
Insert: "3-10-207,"

3. Title, line 7.
Following: "5-2-301,"
Insert: "7-4-2107, 7-4-2502 THROUGH 7-4-2505,"

4. Page 1, line 17.
Strike: "$45,407"
Insert: "$47,929"

5. Page 1, line 19.
Strike: "$32,527"
Insert: "$34,334"

6. Page 1, line 23.
Strike: "$41,415"
Insert: "$43,715"

7. Page 1, line 25.
Strike: "$30,008"
Insert: "$31,675"

8. Page 2, line 2.
Strike: "$35,705"
Insert: "$37,688"

9. Page 2, line 4.
Strike: "$33,627"
Insert: "$35,495"

10. Page 2, line 7.
Strike: "$32,527"
Insert: "$34,334"

11. Page 2, line 9.
Strike: "$30,008"
Insert: "$31,675"

12. Page 2, line 11.
Strike: "$29,161"
Insert: "$30,781"

13. Page 2.
Following: line 11
Insert: "Section 2. Section 3-10-207, MCA, is amended to read:

"3-10-207. Salaries. (1) The board of county commissioners shall set salaries for justices of the peace by resolution. Salaries must meet the minimum requirements established by this section, except that after June 30, 1986, the salary for a justice of the peace may not be higher than 95% of the amount it was on June 30, 1986.

(2) If the salary of the justice of the peace was determined on a fee basis for the years 1971 and 1972, he shall receive a monthly salary of not less than one-eighteenth of the total fees, civil and criminal, collected by the justice or his predecessor in office during the 2 years 1971 and 1972.

(3) If the salary of the justice of the peace was determined on a nonfee basis for the years 1971 and 1972, the justice shall be paid

not less than the highest salary earned by the justice or his predecessor for the years 1971 and 1972.

(4) The salary of the justice of the peace may not be less than the salary for the district clerk of the court in that county, except as provided ~~for~~ in ~~subsection~~ subsections (1) and (5).

(5) In the event his court is not open for business full time, the justice's salary shall be commensurate to the workload and office hours of the court."

Renumber: subsequent sections

14. Page 2, line 15.
Strike: "90%"
Insert: "95%"

15. Page 3.
Following: line 18
Insert: "Section 4. Section 7-4-2107, MCA, is amended to read:

"7-4-2107. Compensation of county commissioners. (1) Each member of the board of county commissioners in counties of the first, second, third, and fourth class shall receive an annual salary equal to 95% of the annual salary ~~established in 7-4-2503 for the clerk and recorder plus $2,000~~ in effect on June 30, 1986.

(2) Each member of the board in all other counties is entitled to a salary for each day in which he is actually and necessarily engaged in the performance of board duties. ~~as set by resolution of the board. For the fiscal year beginning July 1, 1985, the~~ The salary is ~~$60~~ $57 a day. ~~Thereafter, on or before July 1 of each year, the county commission shall fix a cost-of-living adjusted daily salary by adding to the amount of $60 an increment calculated as provided in 7-4-2504.~~

(3) This section does not apply to counties that have adopted a charter form of government."

Section 5. Section 7-4-2502, MCA, is amended to read:

"7-4-2502. Payment of salaries of county officials and assistants. (1) Except as provided in subsection (2), the salaries of the county officers and their assistants may be paid monthly, twice monthly, or every 2 weeks out of the general fund of the county and upon the order of the board of county commissioners.

(2) (a) The salaries of the county attorney and deputy county attorneys authorized by 7-4-2703 are payable monthly, with the salaries of the county attorney and no more than two deputies payable one-half from the general fund of the county and the other one-half from the state treasury upon the warrant of the state auditor. Such salaries for the deputy county attorneys include the longevity increases provided by 7-4-2503~~(3)~~(4)(d).

(b) The county commissioners of each county shall, within 30 days after the election or appointment to fill a vacancy for any cause in the office of county attorney or within 30 days after the appointment of a deputy county attorney authorized by 7-4-2703, certify the election or appointment to the state auditor, who shall thereafter draw warrants for such salary in the same manner as for state officers. In case of a vacancy, the county commissioners shall immediately notify the state auditor, and the auditor shall compute the salary due on the basis of the notification.

(3) The board has jurisdiction and power, under such limitations and restrictions as are prescribed by law, to fix the compensation of all county officers not otherwise fixed by law and to provide for the payment of the same.

(4) After June 30, 1986, the compensation of an elected officer may not be more than 95% of the amount it was on June 30, 1986."

Section 6. Section 7-4-2503, MCA, is amended to read:

"7-4-2503. Salary schedule for certain county officers. (1) The salary paid to the county treasurer, county clerk and recorder, clerk of the district court, county assessor, county superintendent of schools, and county sheriff; the county surveyor in counties where county surveyors receive salaries as provided in 7-4-2812; and the county auditor in all counties wherein such office is authorized, for the fiscal year beginning July 1, 1981, is computed by adding the annual base salary of:

(a) $14,000 for the counties of the first through fifth class to the population increment of $10 for each 100 persons or major fraction thereof included in the county's population as determined by the 1980 federal decennial census; or

(b) $12,000 for counties of the sixth and seventh class to the population increment of $20 per 100 persons or major fraction thereof in the county's population as determined by the 1980 federal decennial census.

(2) The salary computed under subsection (1) for an elected official referred to in subsection (1) may not be higher than 95% of the amount it was on June 30, 1986.

~~(2)~~(3) (a) An elected county superintendent of schools shall receive, in addition to the salary based upon ~~subsection~~ subsections (1) and (2), the sum of $400 per year, except that an elected county superintendent of schools who holds a master of arts degree or a master's degree in education, with an endorsement in school administration, from a unit of the Montana university system or an equivalent institution may, at the discretion of the county commissioners, receive, in addition to the salary based upon ~~subsection~~ subsections (1) and (2), up to $2,000 per year.

(b) The county sheriff shall receive, in addition to the salary based upon ~~subsection~~ subsections (1) and (2), the sum of $2,000 per year.

~~(3)~~(4) (a) In each county with a population in excess of 30,000, the county attorney shall be a full-time official under 7-4-2704, and his salary for the fiscal year beginning July 1, 1981, shall be $36,500. In counties with a population less than 30,000, the county attorney who is a part-time official for a county of the first, second, or third class is entitled to receive an annual salary equal to 60% of the annual salary of a full-time county attorney. A county attorney who is a part-time official for a county of the fourth, fifth, sixth, or seventh class is entitled to receive an annual salary equal to 50% of the annual salary of a full-time county attorney.

(b) In those counties where the office of the county attorney has been established as a full-time position pursuant to 7-4-2706, the salary of the county attorney for the fiscal year beginning July 1, 1981, shall be $36,500.

(c) Beginning on July 1, 1982, and on July 1 of each succeeding year, each appointed county attorney shall be entitled to an increase in salary calculated by adding to his annual salary on July 1, 1981, an increment of 70% of the last previous calendar year's consumer price index for all urban consumers, U.S. department of labor, bureau of labor statistics, or other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor to that index. The cost-of-living increment for the fiscal year beginning July 1, 1983, and for each subsequent fiscal year shall be added to all cost-of-living increments granted for previous years.

(d) (i) After completing 4 years of service as deputy county attorney, each deputy county attorney is entitled to an increase in salary of $1,000 on the anniversary date of his employment as deputy county attorney. After completing 5 years of service as deputy county attorney, each deputy county attorney is entitled to an additional increase in salary of $1,500 on the anniversary date of his employment. After completing 6 years of service as deputy county attorney and for each year of service thereafter up to completion of the 11th year of service, each deputy county attorney is entitled to an additional annual increase in salary of $500.

(ii) The years of service as a deputy county attorney accumulated prior to July 1, 1985, must be included in the calculation of the longevity increase.

~~(4)~~(5) For each 10th year after the fiscal year beginning July 1, 1981, the latest federal decennial census statistics shall be the basis for computation of population increments under this section. During the intervening 9 years, the computation of population increments applicable on July 1 of each year shall be based on the last calendar year's annual estimates of counties' populations compiled by the federal-state cooperative program for estimates of the university of Montana bureau of business and economic research and the U.S. bureau of the census or other estimate that the bureau of business and economic research may certify."

Section 7. Section 7-4-2504, MCA, is amended to read:

"7-4-2504. Salaries to be fixed by resolution — cost-of-living increments. (1) The county governing body shall by resolution, on or before July 1, 1982, and on or before July 1 of each year thereafter adjust and uniformly fix the salaries of ~~the~~ an appointed county treasurer, county clerk, county assessor, county school superintendent, county sheriff, ~~and the~~ clerk of the district court~~;~~, ~~the~~ county auditor (if there is one)~~;~~, and ~~the~~ county surveyor (if he receives a salary) for cost-of-living increase by adding to the annual salary computed under 7-4-2503 an increment calculated by applying to the annual salary established by 7-4-2503(1) plus previous cost-of-living increments, 70% of the last previous calendar year's consumer price index for all urban consumers, U.S. department of labor, bureau of labor statistics, or other index that the bureau of business and economic research of the university of Montana may in the future recognize as the successor to that index. The cost-of-living increment for the fiscal year beginning July 1, 1983, and for each subsequent fiscal year shall be added to all cost-of-living increments granted for previous years.

(2) If the application of 7-4-2503 does not qualify ~~a~~ an appointed county official for a salary increase of at least 7% on July 1, 1981,

his salary on that date shall be increased by an amount sufficient to provide him total salary equal to 7% more than during the previous year.

(3) The county governing body shall by resolution, prior to July 1 of each year, establish the salary of the coroner. After June 30, 1986, the salary of an elected coroner may not be higher than 95% of the amount it was on June 30, 1986. The salary must be in effect upon the first day of each ensuing fiscal year."

Section 8. Section 7-4-2505, MCA, is amended to read:

"7-4-2505. Amount of compensation for deputies and assistants. (1) Subject to subsection (2), the boards of county commissioners in the several counties in the state shall have the power to fix the compensation allowed any deputy or assistant of the following officers:

(a) clerk and recorder;

(b) clerk of the district court;

(c) treasurer;

(d) assessor;

(e) county attorney;

(f) auditor.

(2) (a) The salary of a deputy or an assistant listed in subsection (1), other than a deputy county attorney, may not be more than 90% of the salary of the officer under whom such deputy or assistant is serving. The salary of a deputy county attorney, including longevity payments provided in 7-4-2503~~(3)~~(4)(d), may not exceed the salary of the county attorney under whom he is serving.

(b) Where any deputy or assistant is employed for a period of less than 1 year, the compensation of such deputy or assistant shall be for the time so employed, provided the rate of such compensation shall not be in excess of the rates now provided by law for similar deputies and assistants except as provided herein.

(c) Deputy assessors' salaries shall be the same as paid the deputy clerk and recorder.""

Renumber: subsequent sections

16. Page 3, line 22.
Strike: "$24,890"
Insert: "$26,272"

17. Page 4, line 17.
Strike: "$25,536"
Insert: "$26,954"

18. Page 4, line 19.
Strike: "$24,872"
Insert: "$26,253"

19. Page 5, line 2.
Following: "executive"
Insert: "and legislative"

20. Page 5, line 4.
Following: "executive"

Insert: "and legislative"

21. Page 5, line 5.
Strike: "90%"
Insert: "95%"

22. Page 5, line 9.
Strike: "and"

23. Page 5, line 10.
Following: "full-time"
Insert: "executive branch"

24. Page 5, line 12.
Following: "MCA"
Insert: ", except university system faculty and administrators; and (4) legislative agency directors appointed under 5-11-111, 5-12-205, 5-13-302, 5-15-201, and 75-1-321"

25. Page 5.
Following: line 12
Insert: "NEW SECTION. Section 12. Saving clause. This act does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this act.

NEW SECTION. Section 13. Applicability. The amendment to 3-10-207(1), MCA, by section 2 of this act does not apply to a justice of the peace in office on the effective date of this act and does not apply to or void a salary increase granted after June 30, 1986, if section 2 of this act takes effect after June 30, 1986, and after the salary increase. Article VII, section 7(1), of the Montana constitution provides that the salaries of justices and judges "shall not be diminished during terms of office"."
Renumber: subsequent section

26. Page 5, line 14.
Strike: "2"
Insert: "3"

And, as amended, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 44, introduced by Keenan, Towe, Hager, Ramirez, M. Williams, (By Request of the Revenue Oversight Committee). Referred to Committee on Taxation.

HB 45, introduced by Quilici, Lory, Haffey, Harp, Gage, Manning, (By Request of the Department of Public Service Regulation). Referred to Committee on Taxation.

HJR 2, introduced by Connelly. Referred to Committee on Business and Labor.

HR 1, introduced by Harp, Devlin, M. Williams, Keenan, Raney, Ramirez, Brandewie, Driscoll, Sands, Switzer, Iverson, Schultz, Jenkins, Compton, Ernst, Hanson, Patterson, Phillips, Gilbert, Abrams, Schye, Harrington, Marks, Ream, Keyser, Koehnke. Referred to Committee on Rules.

The following Senate bills were introduced, read first time, and referred to committees:

SB 7, introduced by Van Valkenburg, (By Request of the Office of Budget and Program Planning). Referred to Committee on Judiciary.

SB 9, introduced by Van Valkenburg, Stephens, Peck, McCallum, Harp, Donaldson, Ramirez, Harper, Sands, Mohar, Bardanouve, (By Request of the Office of Budget and Program Planning). Referred to Committee on Education and Cultural Resources.

Representative Harper moved that the House adjourn until 10:00 a.m., June 23, 1986.

Motion carried.

House adjourned at 1:00 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

SEVENTH LEGISLATIVE DAY

Helena, Montana
June 23, 1986

House Chambers
State Capitol

House convened at 10:15 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Fritz, Holliday, Kennerly, Krueger, Rapp-Svrcek, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the fifth legislative day, find the same to be correct.

Menahan, Chairman

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 23rd day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 23rd day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, Montana industries, including the oil refineries in Billings, have been in compliance for the past four years with ambient air quality standards for sulfur dioxide established by the federal Environmental Protection Agency (EPA); and

WHEREAS, Montana has established ambient air standards for sulfur dioxide that are considerably more stringent than the federal standard; and

WHEREAS, the Board of Health and Environmental Sciences has directed the Department of Health and Environmental Sciences to develop emission standards to achieve compliance with the more stringent Montana ambient standard; and

WHEREAS, because of falling crude oil prices worldwide, it is unreasonable to force expensive control technologies on refineries at this time; and

WHEREAS, these refineries and other industries emitting sulfur dioxide provide a major source of jobs and tax revenue for Montana's flagging economy; and

WHEREAS, the Legislature must do everything possible to provide a healthy business climate while at the same time protect the health of Montana citizens through enforcement of the ambient air standards established by EPA; and

WHEREAS, adoption of the federal standard will maintain existing air quality while adding no additional expense to industry and no additional health risk; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation directing the Board of Health and Environmental Sciences to adopt the federal standard for ambient air quality for sulfur dioxide.

Members of the 49th Legislature:

Keating
E. Smith
Stephens
Crippen
Farrell
Goodover
Aklestad
Anderson
Severson
Hammond
Hannah
Asay
Winslow
Montayne
O'Hara
Sales
Ellison
Garcia
Swift
Nathe
Lory
Sands
Thomas
Jenkins
Iverson
Devlin
C. Smith
Hayne
McCallum
Harding
Galt
Shaw
Kolstad
Story
Gage
Thayer
B. Brown
Boylan
Keyser
Gilbert
Kitselman
Compton
Miller
J.K. Moore
Ramirez
Switzer
Simon
Eudaily
Keller
Wallin
Phillips
Cobb
Marks
Neill
Jones
Schultz

Patterson	Peterson
Tveit	Manuel
Hager	Campbell
Grady	Ernst
Nelson	Brandewie
Harp	Pavlovich
Thoft	Glaser
Mercer	Donaldson
Rehberg	Ellerd
Pistoria	O'Connell

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 6/23/86

SB 8, introduced by McCallum

SB 10, introduced by Towe

SB 15, introduced by Neuman

House bills concurred in and returned to the House: 6/21/86

HB 1, introduced by Vincent

HB 6, introduced by Donaldson

HB 15, introduced by Manuel

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 46, introduced by Winslow, Haffey, (By Request of the Legislative Finance Committee). Referred to Committee on Appropriations.

The following Senate bills were introduced, read first time, and referred to committees:

SB 8, introduced by McCallum. Referred to Committee on Education and Cultural Resources.

SB 10, introduced by Towe, Bengtson, Regan, Blaylock, Eck, Lynch, Haffey, Mohar, Hirsch, McCallum, Norman, B. Brown, Severson, Himsl, Hager. Referred to Committee on Education and Cultural Resources.

SB 15, introduced by Neuman, Halligan, Cobb. Referred to Committee on Education and Cultural Resources.

MOTIONS

Representative Rapp-Svrcek present at this time.

Representative Williams moved that Abrams, Asay, Bardanouve, Gilbert, Hager, Harp, Marks, Nathe, Pistoria, Raney, and Spaeth be added as sponsors to HB 38. Motion carried.

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House stand in recess until 2:30 p.m. Motion carried.

House recessed at 10:20 a.m.

House reconvened at 2:30 p.m.

Mr. Speaker in the Chair.

Representative Smith excused at this time.

Representative Fritz present at this time.

COMMUNICATIONS AND PETITIONS

Speaker Vincent removed Representative Schye from the House Appropriations Committee and appointed Representative Fritz to fill this vacancy.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/23/86
Correctly printed: HB 2, HB 10, HB 13, HB 22, HB 23, HB 24, HB 25, HB 26.
Correctly enrolled: HB 1, HB 6, HB 15.

APPROPRIATIONS (Bardanouve, Chairman): 6/23/86
HB 2, do pass. Report adopted.
HB 10, do pass. Report adopted.
HB 22, introduced bill, be amended as follows:

1. Page 1, line 12.
Following: "1987"
Strike: "and the biennium ending June 30, 1989, $5,000,000"
Insert: "$1,666,000"

And, as amended, do pass. Report adopted.

HB 23, do pass. Report adopted.
HB 24, do pass. Report adopted.
HB 25, do pass. Report adopted.
HB 26, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 47, introduced by Jenkins, Eck, Kolstad, Iverson, Gilbert, Harper, Peck, Cohen, Keenan, D. Brown, Manuel, Winslow, McCormick, Driscoll, Bachini, Sales, Harp, Spaeth, Bardanouve, Cobb, Compton, Haffey, B. Williams, Boylan, Manning, Hirsch, Schye, Shaw, Gage, Harding, Aklestad, Weeding, Lynch, Montayne, E. Smith, Stephens, Crippen, Daniels, Tveit, Van Valkenburg, Pinsoneault, McCallum, Thayer, Galt, Hammond, Neuman, Mercer, Jacobson, Stimatz, Patterson, Hannah, O'Connell, Pavlovich, Abrams, Glaser, Ramirez, Marks, Fritz, Sands, Pistoria, Nelson, Harbin, M. Williams, J. Moore, Ernst. Referred to Committee on Natural Resources.
HJR 3, introduced by Thomas, Severson. Referred to Committee on Rules.

MOTIONS

Representative Harper moved that the House stand in recess until 3:15 p.m. Motion carried.

House recessed at 2:40 p.m.

House reconvened at 3:45 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

LOCAL GOVERNMENT (Darko, Chairman): 6/23/86
SB 1, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 6/23/86
HB 37, introduced bill, be amended as follows:

1. Title, lines 7 and 8.
Strike: "APPROPRIATING" on line 7 through "TO" on line 8
Insert: "REQUIRING"

2. Title, line 8.
Following: "ADMINISTRATION"
Insert: "TO REQUEST AN APPROPRIATION"

3. Page 2, line 10.
Strike: "Appropriation"
Insert: "Request for appropriation"

4. Page 2, lines 10 and 11.
Strike: "There" on line 10 through "the" on line 11
Insert: "During the 50th Legislature, the"

5. Page 2, lines 11 and 12.
Strike: "$200,000" on line 11 through "1987," on line 12
Insert: "shall request an appropriation"

6. Page 2, line 13.
Strike: "granted"
Insert: "approved"

And, as amended, do pass. Report adopted.

Adverse Committee Report

HB 17, do not pass. Thereupon, the adverse committee report was adopted as follows:

Ayes: Abrams, Addy, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cody, Compton, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harp, Harper, Harrington, Hart, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Neill, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Stang, Swift, Switzer, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 73

Noes: Bardanouve, Cobb, Cohen, Connelly, Ellerd, Hannah, Harbin, Hayne, Keyser, Miller, J.K. Moore, Nathe, Peck, Raney, Spaeth, Thoft, Veleber.
Total 17

Excused: Holliday, Kennerly, Krueger, Smith.
Total 4

Absent or not voting: Asay, Bradley, Driscoll, O'Connell, Pistoria, Quilici.
Total 6

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Schye in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 31 - Representative Bradley moved that HB 31, second reading copy, be amended. Amendment failed. (42-57)

Representative Cobb moved that HB 31, second reading copy, be amended. After discussion, the amendment was withdrawn by the sponsor.

Representative Spaeth moved that HB 31 do pass. Representative D. Brown made a substitute motion that HB 31 do not pass.

Representative Jones excused at this time.

Representative Cobb made a substitute motion to all motions pending that HB 31, second reading copy, be amended as follows:

1. Page 14.
Following: line 16
Insert: "NEW SECTION. Section 11. Contingent renegotiation of pay plan. If by July 18, 1986, at least 95% of the collectively bargained agreements with the state of Montana have not been renegotiated to include the continuation of the fiscal year 1986 state employee compensation plan, then all employees will from that date be paid under the fiscal year 1987 compensation plan."
Renumber: subsequent sections

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Compton, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Fritz, Gilbert, Glaser, Gould, Hand, Hannah, Hanson, Harbin, Harp, Hart, Hayne, Howe, Iverson, Jones, Keller, Keyser, Kitselman, Koehnke, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Winslow, Mr. Speaker.
Total 69

Noes: Asay, Campbell, Cody, Cohen, Connelly, Donaldson, Eudaily, Garcia, Grady, Hansen, Harper, Harrington, Jenkins, Kadas, Keenan, Lory, McCormick, Menahan, Miles, Pavlovich, Quilici, Rapp-Svrcek, Ream, Stang, Veleber, Wallin, Williams, Zabrocki.
Total 28

Paired: Jones, Smith, Ayes; Harrington, Menahan, Noes.

Excused: Holliday, Kennerly, Krueger.
Total 3

Absent or not voting: None.
Total 0

Representative D. Brown's do not pass motion failed. (40-60)

HB 31, as amended, passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Devlin, Ellerd, Ellison, Gilbert, Glaser, Hand, Hannah, Hanson, Harp, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Manuel, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson,

Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.
Total 63

Noes: Bradley, D. Brown, Campbell, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hansen, Harbin, Harrington, Hart, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Marks, Menahan, Miles, Montayne, Neill, Nisbet, O'Connell, Pavlovich, Quilici, Raney, Ream, Schye, Stang, Veleber, Mr. Speaker.
Total 37

Paired: Hannah, Holliday, Jones, Rehberg, Smith, Ayes; Harrington, Keenan, Kennerly, Krueger, Ream, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative D. Brown excused at this time.

HB 11 - Representative Darko moved that HB 11, second reading copy, be amended as follows:

1. Page 1, line 17.
   Page 2, line 23.
   Page 3, line 13.
   Page 4, line 25.
   Page 7, line 12.
   Page 9, line 24.
   Page 10, line 20.
   Following: "WITH"
   Insert: "setting salaries for"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: D. Brown, Holliday, Jones, Kennerly, Krueger, Smith.
Total 6

Absent or not voting: Devlin, Ernst.
Total 2

Representative Poff moved that HB 11, second reading copy, be further amended as follows:

1. Title, line 9.
Following: "7-4-2107,"
Strike: "AND"
Following: "7-4-2504,"
Insert: "AND 7-4-2510"

2. Page 10.
Following: line 24
Insert: "Section 6. Section 7-4-2510, MCA, is amended to read:

"7-4-2510. Sheriff's department — longevity payments. Beginning on the date of his first anniversary of employment with the department and adjusted annually, a deputy sheriff or undersheriff is entitled to receive a longevity payment amounting to 1% of the minimum base annual salary for each year of service with the department, but years of service during any year in which the salary was set at the same level as the salary of the prior fiscal year may not be included in any calculation of longevity increases. This payment shall be made in equal monthly installments.""

Renumber: subsequent sections

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: Driscoll.
Total 1

Excused: D. Brown, Holliday, Jones, Kennerly, Krueger, Smith.
Total 6

Absent or not voting: Hart.
Total 1

Representative Manuel moved that HB 11, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: O'Connell, Sands.
Total 2

Excused: D. Brown, Holliday, Jones, Kennerly, Krueger, Smith.
Total 6

Absent or not voting: None.
Total 0

Representative Keenan in the Chair.

HB 13 - Representative Harrington moved Representative D. Brown's amendment to HB 13, second reading copy. Amendment failed. (40-54)

Representative Schye in the Chair.

Representative Grady excused at this time.

Representative Patterson moved that HB 13 do pass. Representative Patterson made a substitute motion that consideration of HB 13 be passed to the bottom of the board this day. Motion carried. (47-46)

SB 2 - Representative Simon moved that SB 2 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Cobb, Miller, Nathe.
Total 3

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: McCormick.
Total 1

HB 2 - Representative Eudaily moved that HB 2 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 91

Noes: None.
Total 0

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: Bardanouve, Ellison.
Total 2

HB 10 - Representative Abrams moved that HB 10 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Cohen, Hannah, Hanson, Keyser.
Total 4

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

HB 22 - Representative Sands moved that HB 22 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Hand, Stang.
Total 2

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

HB 23 - Representative Ream moved that HB 23 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Cohen, Garcia, Hanson, Zabrocki.
Total 4

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: Ellison.
Total 1

HB 24 - Representative J. Brown moved that HB 24 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, J. Brown, Cobb, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Gould, Hand, Hannah, Hansen, Hanson, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Keller, Keyser, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Ream, Rehberg, Sales, Sands, Schye, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 71

Noes: Asay, Brandewie, Campbell, Cody, Cohen, Ernst, Glaser, Harbin, Harp, Kadas, Keenan, Kitselman, Menahan, Miles, Nisbet, Poff, Raney, Rapp-Svrcek, Schultz, Simon, Winslow.
Total 21

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: O'Connell.
Total 1

HB 25 - Representative J. Brown moved that HB 25 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Asay, Cohen, Miles, Schultz.
Total 4

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

HB 26 - Representative J. Brown moved that HB 26 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 86

Noes: Cobb, Cody, Cohen, Miller, J.K. Moore, Rapp-Svrcek, Zabrocki.
Total 7

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

HB 13 - Representative Patterson moved that consideration of HB 13 be passed for the day. Motion carried. (63-30)

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Schye moved the adoption of the committee report. Report adopted. (74-18)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 31 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Brandewie, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Devlin, Ellerd, Ellison, Gilbert, Glaser, Hand, Hannah, Hanson, Harp, Harper, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Manuel, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.
Total 61

Noes: Bachini, Bradley, D. Brown, Campbell, Darko, Donaldson, Driscoll, Ernst, Eudaily, Fritz, Garcia, Gould, Grady, Hansen, Harbin, Harrington, Hart, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Marks, Menahan, Miles, Montayne, Neill, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Ream, Schye, Stang, Veleber, Mr. Speaker.

Total 39

Paired: Addy, Hannah, Holliday, Jones, Rehberg, Smith, Spaeth, Ayes; D. Brown, Grady, Harrington, Keenan, Kennerly, Krueger, Ream, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 11 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: O'Connell, Sands.
Total 2

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

SB 2 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 90

Noes: Cobb, Miller, Nathe.
Total 3

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

HB 2 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert,

Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: Cohen.
Total 1

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

HB 10 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Cohen, Hannah, Hanson, Keyser.
Total 4

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: Hansen.
Total 1

HB 22 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Hand, Stang.
Total 2

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.

Total 7

Absent or not voting: None.
Total 0

HB 23 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 89

Noes: Cohen, Garcia, Hanson, Zabrocki.
Total 4

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

HB 24 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Cobb, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Eudaily, Fritz, Garcia, Gilbert, Gould, Hand, Hannah, Hansen, Hanson, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Keller, Keyser, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Ream, Rehberg, Sales, Sands, Schye, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 74

Noes: Brandewie, Campbell, Cody, Cohen, Ernst, Glaser, Harbin, Harp, Kadas, Keenan, Kitselman, Miles, Nisbet, Poff, Raney, Rapp-Svrcek, Schultz, Simon, Winslow.
Total 19

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

HB 25 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson,

Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Cohen, Driscoll, Ream, Schultz.
Total 4

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: None.
Total 0

HB 26 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 82

Noes: Asay, Cobb, Cody, Cohen, Manuel, Miller, J.K. Moore, Rapp-Svrcek, Ream, Zabrocki.
Total 10

Excused: D. Brown, Grady, Holliday, Jones, Kennerly, Krueger, Smith.
Total 7

Absent or not voting: Phillips.
Total 1

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 23rd day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 23rd day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE FOR A CALL OF SPECIAL SESSION

WHEREAS, in the recent case of Pfost v. State of Montana, _____M_____, _____P2d_____, 42 St. Rep. 1957 (1985), the Montana Supreme Court struck down section 2-9-107, MCA, which imposed limitations on the amount of damages recoverable against governmental entities as violating the equal protection clause of the Montana Constitution found at Article II, section 4; and

WHEREAS, the Court applied a strict scrutiny analysis to the statutory limitations; and

WHEREAS, in order to have legislation upheld as valid under a strict scrutiny analysis, the Legislature must demonstrate a compelling state interest for the legislation; and

WHEREAS, as a result of the Pfost decision, governmental entities have experienced problems in obtaining affordable liability insurance because of their unlimited liability exposure; and

WHEREAS, the inability of governmental entities to obtain affordable liability insurance has created severe problems and requires immediate action by the Legislature to afford relief; and

WHEREAS, it is believed that the Legislature can demonstrate a compelling state interest sufficient to satisfy the strict scrutiny test in light of the problems experienced by governmental entities since the Pfost decision; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation creating statutory limitations on public liability.

Members of the 49th Legislature:

Blaylock	Schye
Christiaens	Cohen
B. Williams	Eudaily
Harper	Fuller
Manuel	Addy
Ream	Lybeck
Lory	Quilici
Anderson	Nisbet
Towe	Weeding
Lane	Neuman
Conover	Bengtson
Boylan	Hager
Hirsch	Keating
Mazurek	Lynch
Gage	Pinsoneault
Jacobson	Halligan

Stimatz
Mohar
Manning
M. Williams
O'Connell
Pistoria
Peck
Hart
Howe
Darko
Harbin
Poff
Stang
Bardanouve
Harrington
McCormick
Connelly
Daniels
Ellerd
Ramirez
Asay
Nathe
Regan
McCallum
Keenan
Kolstad
Montayne
Driscoll
Story
Kennerly
Spaeth
Veleber
Raney
Miles
Van Valkenburg
Hand
Bradley
Abrams
Bachini
D. Brown
Menahan
Yellowtail
Eck
Kitselman

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 23rd day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 23rd day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the State is laboring under economic distress, affecting its citizens, local governments, and state government; and

WHEREAS, coal mined in Montana suffers under an economic disadvantage due to the high taxation on such coal and the relatively low taxation on mining coal in Wyoming; and

WHEREAS, the constitutional coal severance tax trust fund was established to provide a financial cushion for Montana's future and it appears that the present constitutes the "future" envisioned when the fund was established; and

WHEREAS, the reduction of the severance tax on coal by fifty percent and ending further contributions to the principal of the permanent trust fund would encourage further mining and would provide revenue to the state, both of which would provide an impetus for Montana's economy; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation:

(1) proposing an amendment to the Montana Constitution to allow for the reduction of severance taxes by fifty percent and subsequent contributions to the permanent coal tax trust fund;

(2) relating to the taxation of coal and coal mining interests and allocation of the proceeds of such taxes; and

(3) allowing such a constitutional referenda to be placed on the ballot November 1986.

Members of the 49th Legislature:

O'Hara	Devlin
Tveit	Gage
Galt	Asay
Hammond	Keller
Shaw	Sales
Goodover	Ellerd
Manuel	Keyser
J. Moore	Jenkins
Kitselman	Wallin
Compton	Brandewie
Cobb	Miller
Grady	Campbell
Hanson	Neill
Patterson	Phillips
Sands	Gilbert
Peterson	Ellison
Hayne	C. Smith
Stimatz	Pavlovich
Quilici	Swift
Montayne	Lane
Daniels	B. Williams
Thoft	Glaser
Rehberg	Hannah
Harp	Stephens
Keating	McCallum
Farrell	Mohar

Boylan	Pinsoneault
Harding	Thayer
Aklestad	Thomas
Garcia	Story
Anderson	Kolstad
Crippen	D. Brown
Switzer	Hirsch
Hager	Simon
Iverson	Nathe
E. Smith	Mercer
Jacobson	Jones
Ernst	J.K. Moore

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/23/86
Correctly printed: HB 37.

NATURAL RESOURCES (Iverson, Chairman): 6/23/86
HB 39, introduced bill, be amended as follows:

1. Title.
Following: line 13
Insert: "REQUIRING SUBMISSION OF A RENEWABLE ENERGY AND CONSERVATION PLAN TO EACH GENERAL SESSION OF THE LEGISLATURE;"

2. Page 5, line 9.
Strike: "1989"
Insert: "1987"

3. Page 5.
Following: line 12
Insert: "NEW SECTION. Section 5. Renewable energy and conservation plan. (1) The department shall develop a plan for renewable energy and conservation technologies and shall provide for continuing public review of the plan. The plan must contain:

(a) an evaluation to determine if additional investment of state funds in renewable energy and conservation technologies is warranted and where the investment would be most effective;

(b) a plan for coordinating energy conservation programs in Montana;

(c) a summary of the accomplishments of the renewable energy grant and loan program;

(d) investment criteria, including but not limited to preferential consideration for technologies that have the greatest potential to reduce reliance on nonrenewable energy sources and that promote economic development; and

(e) other plan elements consistent with the program purpose provided in 90-4-101.

(2) The department shall submit to each general session of the legislature the plan and any section thereof or amendments, additions, or revisions thereto. A plan must be submitted by January 1, 1987."
Renumber: subsequent sections

4. Page 6, line 6.

Strike: "Section"
Insert: "Sections"
Strike: "is"
Insert: "and 5 are"

5. Page 6, line 8.
Strike: "section"
Insert: "sections"
Following: "4"
Insert: "and 5"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 6/23/86

HB 3, introduced by Ellerd

MOTIONS

Representative Connelly moved that Brandewie, Darko, Harp, Kadas, Lybeck, Spaeth, and Stang be added as sponsors to HJR 2. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 10:00 a.m., June 24, 1986.

Motion carried.

House adjourned at 7:10 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

EIGHTH LEGISLATIVE DAY

Helena, Montana
June 24, 1986

House Chambers
State Capitol

House convened at 10:10 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Kennerly, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the sixth legislative day, find the same to be correct.

Menahan, Chairman

SPECIAL ORDERS OF THE DAY

Speaker Vincent asked the Sergeant-at-Arms, Representative Harrington, and Representative Thomas to escort Martha Ann Burke, America's 1986 Mother of the Year, to the rostrum.

Because this is the first time that Montana's Mother of the Year has been chosen for the national honor, a joint resolution, HJR 3, was introduced by this session of the Legislature to honor Mrs. Burke. The resolution was read, Mrs. Burke addressed the members, and received a standing ovation as she was escorted from the House chamber.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/24/86
Correctly printed: HB 39.
Signed by the Speaker at 8:00 a.m., 6/24/86: HB 1.
Delivered to the Governor for his approval at 9:22 a.m., 6/24/86: HB 1.

JUDICIARY (Hannah, Chairman): 6/24/86
SB 7, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 6/24/86
HB 16, introduced bill, be amended as follows:

1. Page 3, line 10.
Following: "expenses."
Insert: "(1) The legislature finds that proper administration of the retirement fund benefits both employers and members and continues to benefit members after retirement."

2. Page 3, line 10.
Strike: "(1)"
Insert: "(2)"

3. Page 3, lines 11 through 14.
Following: "1,"
Strike: "1987" on line 11 through "defray" on line 14
Insert: "1986,"

4. Page 3, line 15.
Following: "board"
Insert: "must be paid from the income earnings on the retirement fund, except as provided in subsection (3). The board shall compute the administrative expenses attributable to each retirement system

administered by the board and transfer that amount from the retirement system's pension trust fund to the retirement fund"

5. Page 3, line 16.
Strike: "(2)"
Insert: "(3)"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Darko moved that consideration of HB 13, second reading this day, be moved to the bottom of the board for the purpose of amendment. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Nelson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 37 - Representative Cobb moved that HB 37 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: Cody, Hansen, Harbin, Harper.
Total 4

Excused: Kennerly.
Total 1

Absent or not voting: Asay.
Total 1

HB 39 - Representative Peck moved that HB 39 do pass. Representative D. Brown made a substitute motion that HB 39, second reading copy, be amended. Amendment failed. (28-64)

Representative D. Brown moved that HB 39, second reading copy, be amended as follows:

1. Title, line 10.
Following: "UNITS;"
Insert: "REQUIRING THAT GRANTS TO STATE GOVERNMENTAL UNITS EITHER BE REPAID OR THAT AGENCY BUDGETS BE REDUCED COMMENSURATE WITH DOCUMENTED ENERGY SAVINGS;"

2. Page 2, line 8.
Following: "administration"
Strike: ","
Following: "~~and~~"
Insert: "and"
Following: "awarding"
Strike: ", and repayment"

3. Page 2.
Following: line 9
Insert: "(6) adopt rules governing the repayment of grants to state governmental units and the reduction of agency budgets under 90-4-109;"
Renumber: subsequent subsections

4. Page 3.
Following: line 11
Insert: "(d) Each agency awarded a grant shall either repay the grant or reduce its budget commensurate with the documented energy savings resulting from the grant."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Glaser, Miller, J.K. Moore, Neill, Patterson, Smith.
Total 6

Excused: Kennerly.
Total 1

Absent or not voting: Bachini, Bardanouve, Menahan, Nathe.
Total 4

HB 39, as amended, passed as follows:

Ayes: Abrams, Addy, Asay, Brandewie, J. Brown, Cobb, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Mercer, Miles, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 72

Noes: Bradley, D. Brown, Campbell, Cody, Cohen, Driscoll, Fritz, Garcia, Hansen, Harper, Hayne, Kadas, Krueger, Menahan, Miller, Montayne, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Veleber.
Total 22

Excused: Kennerly.
Total 1

Absent or not voting: Bachini, Bardanouve, Ellison, Manuel, Poff.
Total 5

Representative Hannah excused at this time.

SB 1 - Representative D. Brown moved that SB 1 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Driscoll, Fritz.
Total 2

Excused: Hannah, Kennerly.
Total 2

Absent or not voting: Bardanouve.
Total 1

HB 13 - Representative Patterson moved that HB 13, second reading copy, be amended. After lengthy debate, Representative Jenkins made a substitute motion that the amendment do not pass. After more debate, Representative Patterson made a substitute motion to all motions pending that consideration of HB 13 be passed for the day. Motion carried. (58-38)

Representative Quilici moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Nelson moved the adoption of the committee report. Report adopted. (89-9)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 37 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hanson, Harp, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg,

Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Cody, Hansen, Harbin, Hart.
Total 4

Excused: Hannah, Kennerly.
Total 2

Absent or not voting: Ellison, Fritz, Harper.
Total 3

HB 39 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Cobb, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Peck, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.
Total 76

Noes: Bradley, D. Brown, Campbell, Cody, Fritz, Garcia, Hansen, Harper, Hayne, Kadas, Krueger, Menahan, Miller, Montayne, Pavlovich, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Veleber, Zabrocki.
Total 22

Paired: Hannah, Aye; Hansen, No.

Excused: Kennerly.
Total 1

Absent or not voting: Poff.
Total 1

Representative Hannah present at this time.

SB 1 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 95

Noes: Driscoll, Fritz, Garcia, Zabrocki.
Total 4

Excused: Kennerly.
Total 1

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/24/86
Correctly enrolled: HB 3.

BUSINESS AND LABOR (Pavlovich, Chairman): 6/24/86
HJR 2, introduced bill, be amended as follows:

1. Page 1, line 21.
Following: "and"
Strike: "tend to"

2. Page 2, line 5.
Following: "That"
Strike: "a special joint interim committee"
Insert: "the Administrative Code Committee"

3. Page 2, line 6.
Following: line 5
Insert: "facilitate a"
Following: "study"
Insert: "of"

And, as amended, referred to the committee of the whole without recommendation. Report adopted.

TAXATION (Devlin, Chairman): 6/24/86
HB 38, do pass. Report adopted.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 48, introduced by Grady, Miles, Gould, Krueger, Thoft, Fuller, J. Brown, Jacobson, Keating, Daniels. Referred to Committee on State Administration.

MOTIONS

Representative Sales moved that HB 13 be taken from second reading and rereferred to the Committee on State Administration. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 10:00 a.m., June 25, 1986.

Motion carried.

House adjourned at 11:45 a.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

NINTH LEGISLATIVE DAY

Helena, Montana
June 25, 1986

House Chambers
State Capitol

House convened at 10:05 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Ellison, Iverson, J. Moore, Spaeth, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journals for the seventh and eighth legislative days, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/24/86
Correctly printed: HB 16, HB 38, HB 47, HJR 2.
Signed by the Speaker at 8:00 a.m., 6/25/86: HB 3.
Signed by the Speaker, 6/25/86: HB 6, HB 15.

APPROPRIATIONS (Bardanouve, Chairman): 6/24/86
HB 7, do pass. Report adopted.
HB 18, introduced bill, be amended as follows:

1. Title, line 9.
Following: "17-6-305"
Insert: "AND"
Following: "17-6-306"
Strike: "AND 44-13-103,"

2. Page 2, lines 2 and 3.
Strike: "special law enforcement assistance"
Insert: "criminal investigation"

3. Page 3, lines 11 and 12.
Page 3, lines 13 and 14.
Page 3, line 16.
Strike: "special law enforcement assistance"
Insert: "criminal investigation"

4. Page 3, line 18 through line 8, page 4.
Following: line 17
Strike: section 5 in its entirety
Renumber: subsequent sections

5. Page 4, line 23.
Strike: "308,959 308,959"
Insert: "358,959 358,959"

6. Page 4, line 25.
Strike: "100,000 100,000"
Insert: "50,000 50,000"

7. Page 5, lines 1 through 4.
Strike: section 7 in its entirety
Renumber: subsequent section

And, as amended, do pass. Report adopted.

HB 21, introduced bill, be amended as follows:

1. Page 2.
Following: line 15
Insert: "DEPARTMENT OF HIGHWAYS

Maintenance	1986	448,416	Federal & Other Special Revenue

Fiscal year 1986 unexpended balance is reauthorized for fiscal year 1987."

2. Page 2.
Following: line 25
Insert:

"Board of Crime Control	1987	5,645	Federal & Other Special Revenue"

3. Page 3.
Following: line 8
Insert:

"Carl Perkins Scholarship	1987	50,000	Federal & Other Special Revenue"

4. Page 4.
Following: line 3
Insert:

"Centralized Services Division	1987	54,507	Federal & Other Special Revenue"

5. Page 4, line 13.
Strike: "64,682"
Insert: "74,912"

6. Page 4, line 16.
Strike: "94,700"
Insert: "249,700"

7. Page 4.
Following: line 24
Insert:

"Job Training Partnership Act	1987	73,368	Federal & Other Special Revenue"

And, as amended, do pass. Report adopted.

HB 32, introduced bill, be amended as follows:

1. Title, line 6.
Strike: "YEARS"
Insert: "YEAR"
Strike: "THROUGH 1989"

2. Page 2, line 11.
Strike: "state"
Insert: "federal"

3. Page 3, line 9.
Strike: "1989"
Insert: "1987"

And, as amended, do pass. Report adopted.

NATURAL RESOURCES (Iverson, Chairman): 6/24/86

HB 47, do pass. Report adopted.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

June 24, 1986

Dear Mr. Speaker:

Please be informed that I have signed House Bill No. 1 on this date.

Sincerely,

Ted Schwinden
Governor

MESSAGES FROM THE OTHER HOUSE

Senate bills passed and transmitted to the House for concurrence: 6/24/86

SB 11, introduced by Fuller

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 49, introduced by Hannah, Keating, Tveit, J.K. Moore, O'Hara, Gilbert, Kitselman, Simon, Ramirez, Galt, Montayne, Pistoria, O'Connell, Hammond, Thayer, Crippen, Stephens, Garcia. Referred to Committee on Natural Resources.

MOTIONS

Representatives J. Moore and Ellison present at this time.

Representative Kitselman moved that HJR 2 be taken from second reading and rereferred to the Committee on Appropriations. Motion carried. (50-46)

Representative Keenan moved that HB 28 be taken from the Committee on Human Services and rereferred to the Committee on Appropriations. Motion carried.

Representative Hand moved that HB 33 be taken from the table in the Committee on Human Services and rereferred to the Committee on Appropriations. Motion carried. (61-32)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Rapp-Svrcek in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representatives Eudaily and Abrams excused at this time.

HB 16 - Representative Schye moved that HB 16 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Abrams, D. Brown, Eudaily, Iverson, Spaeth.
Total 5

Absent or not voting: Grady.
Total 1

HB 38 - Representative Williams moved that HB 38 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Cody, Cohen, Connelly, Darko, Donaldson, Garcia, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Miles, Montayne, J. Moore, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Ream, Sands, Schye, Smith, Stang, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 54

Noes: Bachini, D. Brown, Campbell, Cobb, Compton, Devlin, Driscoll, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jones, Keyser, Kitselman, Krueger, Mercer, Miller, J.K. Moore, Neill, Patterson, Peterson, Phillips, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 41

Paired: Harper, Keenan, Ayes; D. Brown, Iverson, Noes.

Excused: Abrams, Eudaily, Spaeth.
Total 3

Absent or not voting: Fritz, Nathe.
Total 2

Representative Eudaily present at this time.

SB 7 - Representative Mercer moved that SB 7, third reading copy, be amended. Amendment failed. (47-50)

Representatives Spaeth and Abrams present at this time.

Representatives Ream and Sands excused at this time.

Representative Keyser moved that SB 7 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Glaser, Gould, Grady, Hand, Hannah, Harp, Harper, Hart, Hayne, Holliday, Howe, Jenkins, Keenan, Keller, Kennerly, Keyser, Koehnke, Lory, Manuel, Marks, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, O'Hara, Patterson, Peck, Pistoria, Poff, Ream, Sands, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 57

Noes: Asay, Bradley, Brandewie, D. Brown, Cobb, Darko, Driscoll, Fritz, Garcia, Gilbert, Hansen, Hanson, Harbin, Harrington, Jones, Kadas, Kitselman, Krueger, McCormick, Mercer, J.K. Moore, Neill, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Schultz, Schye, Simon, Stang, Swift, Thoft, Thomas, Veleber.
Total 42

Paired: Miles, Ream, Sands, Aye; D. Brown, Mercer, Quilici, Noes.

Excused: Iverson.
Total 1

Absent or not voting: None.
Total 0

HB 47 - Representative Jenkins moved that HB 47 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: D. Brown, Iverson, Ream, Sands.
Total 4

Absent or not voting: Connelly, Harrington.
Total 2

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Rapp-Svrcek moved the adoption of the committee report. Report adopted. (87-3)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 16 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: D. Brown, Iverson, Ream, Sands.
Total 4

Absent or not voting: None.
Total 0

HB 38 passed as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Bradley, Brandewie, J. Brown, Cody, Cohen, Connelly, Darko, Donaldson, Eudaily, Fritz, Garcia, Grady, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Montayne, J. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Schye, Smith, Spaeth, Stang, Thoft, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 58

Noes: Bachini, Campbell, Cobb, Compton, Devlin, Driscoll, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Hannah, Hanson, Hayne, Jones, Keyser, Kitselman, Krueger, Menahan, Miles, Miller, J.K. Moore, Neill, Patterson, Peterson, Phillips, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Simon, Swift, Switzer, Thomas, Wallin, Winslow.
Total 38

Excused: D. Brown, Iverson, Ream, Sands.
Total 4

Absent or not voting: None.
Total 0

SB 7 concurred in as follows:

Ayes: Addy, Bachini, Bardanouve, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Glaser, Gould, Grady, Hand, Hannah, Harp, Harper, Hart, Hayne, Holliday, Howe, Jenkins, Keenan, Keller, Kennerly, Keyser, Koehnke, Lory, Manuel, Marks, Menahan, Miles, Miller, Montayne, J. Moore, Nathe, O'Hara, Patterson, Peck, Pistoria, Poff, Sands, Smith, Spaeth, Switzer, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 55

Noes: Abrams, Asay, Bradley, Brandewie, Cobb, Darko, Driscoll, Fritz, Garcia, Gilbert, Hansen, Hanson, Harbin, Harrington, Jones, Kadas, Kitselman, Krueger, McCormick, Mercer, J.K. Moore, Neill, Nelson, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Quilici, Ramirez, Raney,

Rapp-Svrcek, Rehberg, Sales, Schultz, Schye, Simon, Stang, Swift, Thoft, Thomas, Veleber.
Total 42

Paired: Sands, Aye; Quilici, No.

Excused: D. Brown, Iverson, Ream.
Total 3

Absent or not voting: None.
Total 0

HB 47 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: D. Brown, Iverson, Ream, Sands.
Total 4

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/25/86
Correctly printed: HB 7, HB 18, HB 21, HB 32, HB 46.

APPROPRIATIONS (Bardanouve, Chairman): 6/25/86
HB 46, introduced bill, be amended as follows:

1. Page 1, line 11.
Following: "OFFICE"
Strike: "MAY NOT DISCLOSE INFORMATION OBTAINED IN ITS INVESTIGATIONS WHEN PUBLICATION IS PROHIBITED BY LAW"
Insert: "IS SUBJECT TO APPROPRIATE PENALTIES FOR UNAUTHORIZED DISCLOSURE OF CONFIDENTIAL RECORDS OBTAINED FROM STATE AGENCIES"

2. Page 1, line 24.
Following: line 23
Strike: line 24 through line 1, page 2
Insert: "When confidential records and information are obtained from a state agency, the legislative fiscal analyst and staff must be subject to the same penalties for unauthorized disclosure of such confidential records and information provided for under the laws administered by the state agency. The legislative fiscal analyst shall develop policies

to prevent the unauthorized disclosure of confidential records and information obtained from state agencies."

And, as amended, do pass. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman): 6/25/86
HB 41, introduced bill, be amended as follows:

1. Title, line 9.
Following: line 8
Insert: "PERSONS"

2. Page 2, line 1.
Following: "~~inhabitants~~"
Insert: "persons"

3. Page 2, line 4.
Following: line 3
Insert: "NEW SECTION. Section 2. Transmittal to the attorney general. Notwithstanding the provisions of 13-27-310, the secretary of state shall transmit a copy of this act to the attorney general no later than 100 days before the election at which the issue is voted on by the people."
Renumber: subsequent sections

4. Page 2, line 13.
Following: "legislature"
Insert: "greater discretion"

5. Page 2, line 16.
Following: "legislature"
Insert: "greater discretion"

And, as amended, referred to the committee of the whole without recommendation. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 6/24/86
HB 48, introduced bill, be amended as follows:

1. Title, lines 10 through 12.
Strike: "REPEALING" on line 10 through ";" on line 12

2. Page 2, line 8.
Following: "(5)"
Insert: "(a)"
Renumber: subsequent subsections

3. Page 2.
Following: line 13
Insert: "(b) State property does not include vocational institutions or institutions of higher education."

4. Page 2, line 16.
Following: "food"
Strike: ","
Insert: "or"
Following: "beverage"
Strike: ", or other"

5. Page 4, line 1.
Strike: "vendor"
Insert: "preference"

6. Page 4, lines 3 and 4.

Strike: section 6 in its entirety
Renumber: subsequent sections

And, as amended, do pass. Report adopted.

Committee attached the following statement of intent:

Statement of Intent
HB 48

A statement of intent is required for this bill because section 5 grants rulemaking authority to the department of administration to establish procedures for the implementation by state agencies of the preference authorized by this bill. It is intended that the rules include but not be limited to provisions governing the method of determination of eligibility for the preference authorized in section 2.

MOTIONS

Representative J.K. Moore moved that the House accede to the request of the Senate and return SB 11. Motion carried.

Representative Pavlovich made a motion in regard to the Revenue Oversight Committee's report regarding the operation of liquor stores that was ruled out of order by the Speaker.

Representative Driscoll moved that the above mentioned report be printed and placed on second reading for debate. The Speaker ruled the motion out of order.

The Speaker suggested that a petition for a House joint resolution would be in order, as would placing the matter before the Joint Rules Committee.

Representatives Ream and Sands present at this time.

Representative Ramirez moved that the rules be suspended to permit the drafting and introduction of a joint resolution or a bill dealing with the Revenue Oversight Committee's report on the closure of state liquor stores. Although this motion is undebatable, the Speaker allowed debate until Representative Harp moved the previous question. Motion carried.

Representative Ramirez's motion carried. (97-1)

Representative Nelson excused at this time.

Representative Fritz moved that on this, the anniversary date of Custer's Last Stand, the rules be suspended to allow the drafting and introduction of a joint resolution supporting the expansion of the boundaries of the Custer Battlefield to include other significant historical areas involved in the Battle of the Little Big Horn. Motion carried.

Representative Thomas moved that HJR 3 be taken from the Committee on Rules and placed on second reading tomorrow. Motion carried.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 8:00 a.m., June 26, 1986.

Motion carried.

House adjourned at 12:15 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TENTH LEGISLATIVE DAY

Helena, Montana
June 26, 1986

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by the Chaplain. Pledge of Allegiance to the Flag.

Roll call. All members present except D. Brown, Kadas, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the ninth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/26/86
Correctly printed: HB 7, HB 21, HB 41, HB 46, HB 48.

APPROPRIATIONS (Bardanouve, Chairman): 6/25/86
HB 33, do pass. Report adopted.
HB 36, introduced bill, be amended as follows:

1. Page 1, line 20.
Strike: "."
Insert: "; and"

2. Page 1.
Strike: lines 21 through 24 in their entirety
Insert: "WHEREAS, there are many nationally known groups that have shown interest in the purchase of the Montana Youth Treatment Center and all such groups should have a chance to submit a proposal to purchase.

THEREFORE, when an appropriate buyer can be found to offer quality care for Montana youth, the State of Montana will discontinue the state operation of the Montana Youth Treatment Center and hereby authorizes the Board of Land Commissioners to sell the facility as provided in this act."

3. Page 2, lines 8 through 11.
Following: "center. (1)" on line 8
Strike: remainder of subsection (1) in its entirety
Insert: "The board of land commissioners is authorized to sell the Montana youth treatment center to a private health care provider who has documented experience in providing specialized adolescent psychiatric treatment that includes an educational component. The sale is made pursuant to 77-2-302, except that the 60-day public notice requirement of that section is waived."

4. Page 2, lines 12 through 15.
Strike: "For" on line 12 through "providers." on line 15
Insert: "The department of institutions shall advertise the proposed sale in at least one nationally distributed trade publication and shall notify in writing those health care providers that could potentially meet the conditions of the proposed sale. Interested parties must be allowed 60 days to submit proposals for purchase from the date the advertisement is published."

5. Page 2.

Following: line 19
Strike: subsection (3) in its entirety
Insert: "(3) To protect and indemnify the state against failure or refusal of a prospective purchaser to consummate the sale, each proposal must be accompanied by security in the amount of 2% of the appraised value contained in subsection (2). The security shall consist of cash, cashier's check, certified check, bank money order, or bank draft, in any case drawn on a bank located in the state of Montana, or a bond or bonds executed by a surety authorized to do business in the state of Montana. If a prospective purchaser fails or refuses to consummate the sale, the security is forfeited to the state and must be deposited in the general fund. The security must be returned to a prospective purchaser whose proposal is not accepted by the state.

(4) (a) A committee shall review the proposals for purchase and recommend a purchaser to the board of land commissioners after meeting and discussing the factors set forth in subsection (4)(b). The review committee must make such a recommendation within 60 days after close of advertising set forth in [section 2]. The committee is comprised of:

(i) the director of the department of institutions, who shall chair the committee;

(ii) the directors of the departments of health and environmental sciences and social and rehabilitation services;

(iii) two members of the senate, one from each party, to be appointed by the committee on committees, one of whom must represent a district in Yellowstone County and the other from a district representing a different county;

(iv) two members of the house of representatives, one from each party, appointed by the speaker in consultation with the republican leader of the house, one of whom must represent a district in Yellowstone County and the other from a district representing a different county;

(v) a representative of the mental health care community from Yellowstone County, appointed by the governor; and

(vi) a representative, appointed by the governor, from an organization representing mental health centers.

(b) The review committee shall consider:

(i) various proposals for purchase;

(ii) conditions of the sale of the Montana youth treatment center, including the quality of care to be provided, continued state responsibilities, treatment costs, accreditation standards, contractual relationships with the state and other governmental entities and the terms of those contracts, and other matters pertaining to the administration of the Montana youth treatment center; and

(iii) other matters relating to the sale and subsequent services and costs of a privately operated facility.

(c) The review committee may not show any partiality or favoritism in making its decision."
Renumber: subsequent subsections

6. Page 3, line 8.
Following: "part 3."
Insert: "The review provided for in [section 2] and the need to expedite transfer of the facility to prevent deterioration of staff morale and quality of care provided justify the exemption of the sale and transfer of the Montana youth treatment center from the certificate of need review provision of Title 50, chapter 5, part 3."

7. Page 3, line 24 through line 1, page 4.
Strike: "If" on line 24, page 3 through "license." on line 1, page 4
Insert: "The buyer or any subsequent transferee shall keep reasonable documentation of compliance with this condition. Failure to comply with the provisions of this section may result in the loss of hospital licensure."

8. Page 4, line 2.
Strike: "hospital"

9. Page 4, line 3.
Following: "license"
Insert: "as a psychiatric hospital"

10. Page 4, line 4.
Following: "facility"
Insert: "as defined in 53-21-102(6)"

11. Page 4, lines 12 and 13.
Strike: "The" on line 12 through "conditions." on line 13
Insert: "The board of land commissioners may make an exception to these conditions in any subsequent sale or transfer."

12. Page 4, line 17.
Following: "sale."
Insert: "The buyer and the state shall each commission an appraisal by a qualified appraiser at the time of sale. The appraised value is the average of the two appraisals."

13. Page 5, line 4.
Following: "patients"
Insert: "and shall receive no per diem reimbursement from the department of institutions for services provided to youth ordered to the facility by the courts. Such services become the financial responsibility of the buyer, who may bill medicaid or private insurers when appropriate"

14. Page 5.
Following: line 7
Insert: "(8) The buyer shall accept applications of all Montana youth treatment center employees who desire to continue employment with the purchaser. Among the substantially qualified applicants, present employees of the Montana youth treatment center must be given preference in hiring by the purchaser.

(9) Montana youth treatment center employees who wish to remain state employees shall be provided relocation assistance of up to $1,000 and any training necessary to qualify for similar vacant positions within the department of institutions."

15. Page 17, line 17.
Strike: "filed by"
Insert: "delivered to"

16. Page 17, lines 17 and 18.
Strike: "with" on line 17 through "recorder" on line 18

And, as amended, do pass. Report adopted.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman): 6/25/86

SB 8, be concurred in. Report adopted.

HUMAN SERVICES AND AGING (Keenan, Chairman): 6/25/86
HB 40, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Senate bill passed and transmitted to the House for concurrence: 6/25/86

SB 18, introduced by Boylan

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 18, introduced by Boylan, Wallin, Hanson, Thoft, Ellison, Daniels, Schultz, Shaw, Nathe, C. Smith, Phillips, Keating, Patterson, Tveit, Switzer, Story, Himsl, B. Williams, E. Smith. Referred to Committee on State Administration.

MOTIONS

Representative Harper moved that the House stand in recess until 9:00 a.m. Motion carried.

House recessed at 8:05 a.m.

House reconvened at 9:15 a.m.

Mr. Speaker in the Chair.

Representatives Keyser and Montayne excused at this time.

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 77 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 26th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman,

President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 26th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE FOR A CALL OF SPECIAL SESSION

WHEREAS, several initiative proposals were delayed because of anticipated legislative action; and

WHEREAS, it is in the best interests of the people that the initiative process not be unduly burdensome on people; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation extending the time period during which signatures for the initiative process may be gathered and submitted to the Secretary of State.

Members of the 49th Legislature:

Marks
Thomas
Mercer
Hirsch
Conover
Boylan
B. Brown
Aklestad
Farrell
Tveit
E. Smith
McCallum
Anderson
Keyser
Hanson
Phillips
Compton
Gilbert
Wallin
Thoft
Campbell
Ellison
Hayne
Schultz
B. Williams
Manuel
Pavlovich
Garcia
Hager
Thayer
Stephens
Goodover
Hammond
Himsl
Galt
Harding
Severson
J.K. Moore
Devlin
Sales
Switzer
Gould
Rehberg
Ramirez
Simon
Peterson
Ernst
Sands

Iverson
Eudaily
Nathe
Ellerd
Jenkins
Keller
Kitselman
Winslow
Neill
Glaser
Jones
Keating
Shaw
C. Smith
Gage
Asay
Lory
Swift
O'Hara
Donaldson
Nelson
Miller
Patterson
Brandewie
Cobb
Hannah
Grady
Harp
Kolstad

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/26/86
Correctly printed: HB 33, HB 36, HB 40, HB 45.

TAXATION (Devlin, Chairman): 6/25/86
HB 35, introduced bill, be amended as follows:

1. Title, line 7.
Strike: "AT THE PRICE PAID THE UNITED STATES"
Insert: "AS IT WOULD BE VALUED AS AGRICULTURAL GRAZING LAND"

2. Title, line 8.
Strike: "50 PERCENT OF VALUE"
Insert: "THE RATE GENERALLY APPLICABLE TO CLASS FOUR PROPERTY"

3. Page 2, line 14.
Following: "property."
Insert: "Class eighteen does not include any property that is used for residential, recreational as described in 70-16-301, or commercial as defined in 15-1-101, purposes, or if the surface is being used for other than mining purposes and has a separate and independent value for such other purposes."

4. Page 2, line 21.
Strike: "at the price paid the United States therefor"
Insert: "as if such land were devoted to agricultural grazing use"

5. Page 2, line 22.
Strike: "50%"
Insert: "30%"

6. Page 3, line 5.
Strike: "will be in the future"
Insert: "is being held for that use"

7. Page 3, lines 8 and 9.
Strike: "is relevant to the applicant's eligibility"
Insert: "the department may require to determine an applicant's eligibility and to determine if the surface is being used for other than mining purposes and has a separate and independent value for such other purposes"

And, as amended, do pass. Report adopted.

HB 45, introduced bill, be amended as follows:

1. Page 3, line 1.
Following: "[section 2]"
Strike: "must"
Insert: "may"

2. Page 5, line 12.
Strike: "Section 4 of this"
Insert: "This"

And, as amended, do pass. Report adopted.

MOTIONS

Representative Connelly moved that HJR 2 be taken from the Committee on Appropriations and placed on second reading this day. Motion failed. (43-52)

Representative J.K. Moore moved that consideration of HB 41, second reading, be passed for the day. Motion carried.

Representative Peck moved that SB 9 be taken from the table in the Committee on Education and placed at the top of the second reading board this day. After discussion, Representative Manuel moved the previous question. Motion carried.

Representative Peck's motion carried. (54-45)

Representatives Montayne and Kadas present at this time.

Representative Keenan moved that HB 28 be taken from the table in the Committee on Appropriations and placed on second reading this day. Motion carried. (52-48)

Representative Harrington moved that consideration of SB 9, second reading, be passed for the day. Motion failed. (40-58)

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Kitselman in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 9 - Representative Peck moved that SB 9, third reading copy, be amended. Amendment failed. (40-60)

Representative Driscoll excused at this time.

Representative Peck moved that SB 9 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Compton, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hand, Hannah, Hansen, Hanson, Harper, Hart, Hayne, Holliday, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, Manuel, Marks, Miles, Miller, Nathe, Neill, Nelson, Nisbet, O'Hara, Patterson, Peck, Peterson, Pistoria, Poff, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Smith, Spaeth, Swift, Switzer, Thoft, Zabrocki, Mr. Speaker.
Total 62

Noes: Asay, D. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Garcia, Gould, Harbin, Harp, Harrington, Howe, Iverson, Keenan, Krueger, McCormick, Menahan, Mercer, Montayne, J.K. Moore, J. Moore, O'Connell, Pavlovich, Phillips, Quilici, Ramirez, Sales, Simon, Stang, Thomas, Veleber, Wallin, Williams, Winslow.
Total 37

Paired: Raney, Spaeth, Ayes; D. Brown, Driscoll, Noes.

Excused: Keyser.
Total 1

Absent or not voting: None.
Total 0

SB 8 - Representative Harrington moved that SB 8 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Sales, Swift.
Total 2

Excused: D. Brown, Driscoll, Keyser.
Total 3

Absent or not voting: None.
Total 0

HB 7 - Representative Winslow moved that HB 7 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: Cody, Connelly, Ream, Schye.
Total 4

Excused: D. Brown, Driscoll, Keyser.
Total 3

Absent or not voting: None.
Total 0

HB 18 - Representative Spaeth moved that HB 18, second reading copy, be amended as follows:

1. Title, line 11.
Strike: "AND"
Insert: ","
Following: "DATE"
Insert: ", AND A TERMINATION DATE"

2. Page 5, line 13.
Following: "applicability"
Insert: "— termination"
Following: "."
Insert: "(1)"

3. Page 5.
Following: line 15
Insert: "(2) This act terminates July 1, 1989."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: D. Brown, Driscoll, Keyser.
Total 3

Absent or not voting: None.
Total 0

Representative Peck moved that HB 18, second reading copy, be further amended as follows:

1. Page 5.
Following: line 7
Insert: "Item 14b is for the purpose of investigating crimes involving dangerous drugs and stolen property."

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick,

Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: None.
Total 0

Excused: D. Brown, Driscoll, Keyser.
Total 3

Absent or not voting: Harp.
Total 1

Representative Peck moved that HB 18, as amended, do pass. Motion failed. (39-59)

Representative Harper moved that HB 18, as amended, do not pass. Motion carried as follows:

Ayes: Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Devlin, Ellison, Fritz, Garcia, Gilbert, Grady, Hannah, Hansen, Harbin, Harp, Harper, Harrington, Hayne, Holliday, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Krueger, Marks, Mercer, Miles, J.K. Moore, Nelson, Nisbet, Patterson, Peterson, Phillips, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Schye, Simon, Smith, Stang, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 60

Noes: Abrams, Addy, Asay, Cobb, Donaldson, Ellerd, Ernst, Eudaily, Glaser, Gould, Hand, Hanson, Hart, Howe, Iverson, Keenan, Keyser, Koehnke, Lory, McCormick, Menahan, Miller, Montayne, J. Moore, Nathe, Neill, O'Connell, O'Hara, Pavlovich, Peck, Pistoria, Quilici, Rehberg, Sands, Schultz, Spaeth, Swift, Zabrocki.
Total 38

Paired: D. Brown, Hannah, Ayes; Asay, Keyser, Noes.

Excused: Driscoll.
Total 1

Absent or not voting: Manuel.
Total 1

HB 21 - Representative Bardanouve moved that HB 21 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 94

Noes: None.
Total 0

Excused: D. Brown, Driscoll, Keyser.
Total 3

Absent or not voting: Keenan, Menahan, Quilici.
Total 3

HB 32 - Representative Wallin moved that HB 32 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Brandewie, Glaser, Harp.
Total 3

Excused: D. Brown, Driscoll, Keyser.
Total 3

Absent or not voting: Kadas, McCormick, Veleber.
Total 3

HB 36 - Representative Garcia moved that HB 36, second reading copy, be amended. Amendment failed. (37-58)

Representatives Manuel and Rapp-Svrcek excused at this time.

Representative Sands moved that HB 36, second reading copy, be amended as follows:

1. Title, line 11.
Following: "CENTER;"
Insert: "AND TO STUDY THE FEASIBILITY OF SELLING OTHER FACILITIES;"

2. Page 21.
Following: line 8
Insert: "NEW SECTION. Section 14. Department study of sale feasibility of other facilities. The department of institutions shall study the feasibility of selling other facilities under its jurisdiction and transferring those facilities and the programs operated there to private entities. It shall submit to the legislature a report of this study, along with its recommendations, by January 15, 1987."
Renumber: subsequent sections

3. Page 21, line 23.
Following: "5"
Insert: ", 14,"

Amendment passed as follows:

Ayes: Asay, Bradley, Brandewie, Campbell, Cobb, Cohen, Compton, Devlin, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Grady, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Mercer, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thomas, Wallin, Winslow, Zabrocki.
Total 54

Noes: Abrams, Addy, Bachini, Bardanouve, J. Brown, Cody, Connelly, Darko, Donaldson, Eudaily, Fritz, Gould, Hand, Hansen, Harbin, Harper, Harrington, Hart, Howe, Keenan, Lory, Menahan, Miles, J. Moore, Nisbet, Pavlovich, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Stang, Thoft, Veleber, Williams, Mr. Speaker.
Total 38

Paired: Asay, Aye; Rapp-Svrcek, No.

Excused: D. Brown, Driscoll, Keyser, Manuel.
Total 4

Absent or not voting: Kadas, Marks, O'Connell, Pistoria.
Total 4

Representatives Miles and Cohen excused at this time.

Representative Manuel present at this time.

Representative Winslow moved that HB 36, second reading copy, be further amended. Amendment failed. (37-60)

Representative Gilbert excused at this time.

Representative Addy moved that HB 36, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Glaser, Gould, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.
Total 86

Noes: Garcia, Grady, Hansen, Kadas, Peck, Sales, Veleber, Zabrocki.
Total 8

Paired: Driscoll, Spaeth, Ayes; Garcia, Hansen, Noes.

Excused: D. Brown, Cohen, Gilbert, Keyser, Miles, Rapp-Svrcek.
Total 6

Absent or not voting: None.
Total 0

Representative Addy excused at this time.

HB 40 - Representative Cobb moved that HB 40 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 90

Noes: None.
Total 0

Excused: Addy, D. Brown, Cohen, Driscoll, Gilbert, Keyser, Miles, Rapp-Svrcek.
Total 8

Absent or not voting: Manuel, Spaeth.
Total 2

Representative Cohen present at this time.

Representative Krueger excused at this time.

HB 46 - Representative Winslow moved that HB 46 do pass. Motion carried as follows:

Ayes: Asay, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Winslow, Zabrocki.
Total 71

Noes: Abrams, Bachini, Bardanouve, Brandewie, Connelly, Garcia, Hansen, Harp, Harper, Harrington, Holliday, Keenan, Montayne, Nisbet, O'Connell, Poff, Ream, Veleber, Wallin, Williams, Mr. Speaker.
Total 21

Paired: Gilbert, Spaeth, Ayes; Bardanouve, Keenan, Noes.

Excused: Addy, D. Brown, Driscoll, Keyser, Krueger, Miles, Rapp-Svrcek.
Total 7

Absent or not voting: Bradley.
Total 1

HB 48 - Representative Grady moved that HB 48 do pass. Motion carried as follows:

Ayes: Abrams, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer,

Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Fritz.
Total 1

Excused: Addy, D. Brown, Driscoll, Gilbert, Keyser, Krueger, Miles, Rapp-Svrcek.
Total 8

Absent or not voting: Asay, Menahan, Spaeth.
Total 3

HJR 3 - Representative Thomas moved that HJR 3 do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Addy, D. Brown, Driscoll, Gilbert, Keyser, Krueger, Miles, Rapp-Svrcek.
Total 8

Absent or not voting: Spaeth.
Total 1

HB 28 - Representative Bradley moved that HB 28 do pass. Motion failed. (29-66)

Representative Harper moved that HB 28 do not pass. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Brandewie, Campbell, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Hart, Hayne, Holliday, Iverson, Jenkins, Keller, Keyser, Kitselman, Koehnke, Krueger, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, Nathe, Neill, Nelson, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow.
Total 64

Noes: Bradley, J. Brown, Cobb, Cohen, Connelly, Darko, Eudaily, Fritz, Garcia, Harper, Howe, Kadas, Keenan, Kennerly, Lory, McCormick, Miles, Montayne, J. Moore, Nisbet, Poff, Rapp-Svrcek, Ream, Schye, Stang, Williams, Zabrocki, Mr. Speaker.

Total 28

Paired: Gilbert, Hannah, Holliday, Keyser, Mercer, Ayes; Harper, Kadas, Keenan, Miles, Rapp-Svrcek, Noes.

Excused: Addy, D. Brown, Driscoll.
Total 3

Absent or not voting: Hansen, Harrington, Jones, O'Hara, Spaeth.
Total 5

HB 33 - Representative Winslow moved that HB 33, second reading copy, be amended as follows:

1. Page 10, line 4.
Following: "~~$314~~"
Strike: "$336"
Insert: "$287"

2. Page 10, line 5.
Following: "~~375~~"
Strike: "383"
Insert: "433"

3. Page 10, line 6.
Following: "~~400~~"
Strike: "404"
Insert: "526"

4. Page 10, line 7.
Following: "~~425~~"
Strike: "426"
Insert: "618"

5. Page 10, line 8.
Following: "5"
Strike: "501"
Insert: "714"

6. Page 10, line 9.
Following: "~~564~~"
Strike: "570"
Insert: "804"

7. Page 10, line 10.
Following: "~~624~~"
Strike: "642"
Insert: "896"

8. Page 10, line 11.
Following: "~~685~~"
Strike: "713"
Insert: "988"

9. Page 10, line 12.
Following: "~~744~~"
Strike: "785"
Insert: "1,081"

10. Page 10, line 13.
Following: "~~804~~"
Strike: "857"
Insert: "1,173"

11. Page 10, line 14.
Following: "~~864~~"
Strike: "929"
Insert: "1,194"

12. Page 10, line 15.
Following: "~~923~~"
Strike: "1,001"
Insert: "1,215"

13. Page 10, line 16.
Following: "~~983~~"
Strike: "1,073"
Insert: "1,236"

14. Page 10, line 17.
Following: "~~1,042~~"
Strike: "1,145"
Insert: "1,256"

15. Page 10, line 18.
Following: "~~1,102~~"
Strike: "1,217"
Insert: "1,277"

16. Page 10, line 19.
Following: "~~1,162~~"
Strike: "1,289"
Insert: "1,298"

17. Page 11, line 1.
Following: "the monthly income"
Strike: "level"
Insert: "standard"

18. Page 11, line 1.
Following: "level in"
Strike: "subsection"

19. Page 11, line 2.
Strike: "(b)"
Insert: "53-3-205(2)"

Amendment passed as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: None.
Total 0

Excused: Addy, D. Brown, Driscoll, Gilbert, Kadas, Keyser, Miles, Rapp-Svrcek.

Total 8

Absent or not voting: Jones, O'Connell, Poff, Spaeth.
Total 4

Representative Cohen moved that HB 33, second reading copy, be further amended. Amendment failed. (34-63)

Representative Kadas present at this time.

Representative Cohen moved that HB 33, second reading copy, be further amended. Amendment failed. (38-60)

Representative Rapp-Svrcek present at this time.

Representative Hannah excused at this time.

Representative Hand moved that HB 33, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Asay, Bardanouve, Brandewie, J. Brown, Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hand, Harbin, Harp, Hayne, Holliday, Iverson, Jenkins, Keller, Keyser, Kitselman, Koehnke, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Sales, Sands, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 53

Noes: Addy, Bachini, Bradley, D. Brown, Cobb, Cody, Cohen, Connelly, Darko, Eudaily, Fritz, Garcia, Hansen, Hanson, Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Menahan, Miles, Montayne, J. Moore, Neill, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Schultz, Schye, Stang, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 44

Paired: Gilbert, Holliday, Keyser, Spaeth, Ayes; D. Brown, Miles, Rapp-Svrcek, Schye, Noes.

Excused: Driscoll, Hannah.
Total 2

Absent or not voting: Jones.
Total 1

Representative Gilbert present at this time.

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Kitselman moved the adoption of the committee report. Report adopted. (71-20)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 9 concurred in as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Grady, Hand, Hannah, Hansen, Hanson, Harper, Hart, Hayne, Holliday, Howe, Jenkins, Jones, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Marks, Miles, Miller, Nathe, Neill, Nelson, Nisbet, O'Hara,

Patterson, Peck, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Swift, Switzer, Thoft, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 65

Noes: Asay, Cobb, Cody, Cohen, Compton, Connelly, Darko, Garcia, Gould, Harbin, Harp, Harrington, Iverson, Keenan, Kennerly, Krueger, McCormick, Menahan, Mercer, Montayne, J.K. Moore, J. Moore, O'Connell, Pavlovich, Phillips, Ramirez, Simon, Stang, Thomas, Veleber, Winslow.
Total 31

Paired: Hannah, Jones, Ayes; Ramirez, Winslow, Noes.

Excused: D. Brown, Driscoll, Keyser.
Total 3

Absent or not voting: Spaeth.
Total 1

SB 8 concurred in as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Stang, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: Asay, Sales, Swift.
Total 3

Excused: D. Brown, Driscoll, Hannah, Keyser.
Total 4

Absent or not voting: Jones, Spaeth.
Total 2

HB 7 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cohen, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Cody, Connelly, Holliday, Ream, Schye.
Total 5

Excused: D. Brown, Driscoll, Hannah, Keyser.
Total 4

Absent or not voting: Jones, Spaeth.
Total 2

HB 21 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: D. Brown, Driscoll, Hannah, Keyser.
Total 4

Absent or not voting: Jones, Spaeth.
Total 2

HB 32 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Grady, Hand, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Brandewie, Glaser, Hansen, Harp, Peck.
Total 5

Excused: D. Brown, Driscoll, Hannah, Keyser.
Total 4

Absent or not voting: Jones, Spaeth.
Total 2

HB 36 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles,

Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 87

Noes: Garcia, Grady, Hansen, Kadas, Peck, Sales, Veleber.
Total 7

Excused: D. Brown, Driscoll, Hannah, Keyser.
Total 4

Absent or not voting: Jones, Spaeth.
Total 2

HB 40 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: D. Brown, Driscoll, Hannah, Keyser.
Total 4

Absent or not voting: Jones, Montayne, Spaeth.
Total 3

HB 46 passed as follows:

Ayes: Asay, Bardanouve, Bradley, J. Brown, Campbell, Cobb, Cohen, Compton, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hanson, Harbin, Hart, Hayne, Howe, Iverson, Jenkins, Kadas, Keller, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Winslow, Zabrocki.
Total 66

Noes: Abrams, Addy, Bachini, Brandewie, Cody, Connelly, Ellerd, Garcia, Hansen, Harp, Harper, Harrington, Holliday, Keenan, Kennerly, Krueger, McCormick, Menahan, Miles, Montayne, Nisbet, O'Connell, Poff, Ream, Veleber, Wallin, Williams, Mr. Speaker.
Total 28

Excused: D. Brown, Driscoll, Hannah, Keyser.
Total 4

Absent or not voting: Jones, Spaeth.

Total 2

HB 48 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: D. Brown, Driscoll, Hannah, Keyser.
Total 4

Absent or not voting: Jones, Peterson, Quilici, Spaeth.
Total 4

HJR 3 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: D. Brown, Driscoll, Hannah, Keyser.
Total 4

Absent or not voting: Jones, Spaeth.
Total 2

HB 33 passed as follows:

Ayes: Abrams, Asay, Bardanouve, Brandewie, J. Brown, Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Harbin, Harp, Hayne, Holliday, Iverson, Jenkins, Keller, Kitselman, Koehnke, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Phillips, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 53

Noes: Addy, Bachini, Bradley, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Eudaily, Fritz, Garcia, Hansen, Hanson, Harper, Harrington, Hart,

Howe, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Menahan, Miles, Montayne, J. Moore, Neill, Nisbet, O'Connell, Pavlovich, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Schye, Stang, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 43

Paired: Hannah, Aye; Driscoll, No.

Excused: D. Brown, Keyser.
Total 2

Absent or not voting: Jones, Spaeth.
Total 2

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 26th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 26th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the Legislature has reduced and eliminated State programs and functions to the point where essential services and functions are threatened; and

WHEREAS, the Governor's call limits the type of revenue enhancement that may be considered during the special session and the purposes for which such revenue may be used is constitutionally restricted; and

WHEREAS, the constitutional mandate of a balanced state budget cannot be met under such circumstances; and

WHEREAS, chewing tobacco, as well as other tobacco products other than cigarettes, pay taxes at approximately one-half the rate paid by cigarettes; and

WHEREAS, in this time of fiscal crisis there is no reason for such disparity and additional revenues raised by increasing the tax on chewing

tobacco and other tobacco products other than cigarettes would be of significant help in funding education; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation increasing the taxes on tobacco products other than cigarettes and providing that the increased revenue be used for state aid to education.

Members of the 49th Legislature:

J. Moore
Addy
Ellison
O'Hara
Eudaily
Harrington
Montayne
Veleber
Campbell
Ream
Hayne
Darko
Lory
Nisbet
Bradley
Hansen
Harper
D. Brown
Ellerd
McCormick
O'Connell
Connelly
Koehnke
Poff
Raney
Weeding
Mohar
Christiaens
Eck
Halligan
J. Brown
Daniels
Blaylock
Manning
Krueger
Abrams
Menahan
Jenkins
J.K. Moore
Garcia
Rapp-Svrcek
Cody
Kadas
Jacobson
Hand
Miles
C. Smith
Miller
Neill
Ernst
Compton
Peterson
Howe
Kennerly
Quilici
Hirsch
Grady
Hanson
Fritz
Winslow
Cohen
Harbin
Tveit
Shaw
Manuel
Pinsoneault
Van Valkenburg
Conover
E. Smith
Spaeth
Peck
Schye
Keenan
Bachini
Bardanouve
Brandewie

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/26/86

Correctly printed: HB 35.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 6/25/86

HB 30, introduced by Bardanouve

Senate bills passed and transmitted to the House for concurrence: 6/25/86

SB 14, introduced by Neuman

SB 20, introduced by McCallum

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bills were introduced, read first time, and referred to committees:

HB 50, introduced by Pavlovich, Driscoll, Garcia, Quilici, Rapp-Svrcek, Peterson, Menahan, Montayne, Jones, Gould, Ellison, Harrington, Nisbet, C. Smith, McCormick, Schye, Bachini, O'Connell, Poff, Cody, Pistoria, Keenan. Referred to Committee on Business and Labor.

HB 51, introduced by Mercer, Manuel, B. Brown, Boylan. Referred to Committee on State Administration.

The following Senate bills were introduced, read first time, and referred to committees:

SB 14, introduced by Neuman, McCallum, Harp, Spaeth, Mazurek, Driscoll, Brandewie, Eck, Blaylock, Mohar, Lybeck, Grady, Peterson, Bardanouve, Yellowtail, M. Williams, Lory, Himsl, Haffey, B. Brown, (By Request of the Department of Highways). Referred to Committee on Taxation.

SB 20, introduced by McCallum, Swift, Rapp-Svrcek, Cobb, Keating, O'Hara, Farrell, Brandewie, Phillips, Connelly, Nathe, Patterson, Driscoll, Glaser, Ramirez, Severson, Christiaens, Norman, Boylan, Marks. Referred to Committee on Taxation.

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 8:00 a.m., June 27, 1986.

Motion carried.

House adjourned at 3:40 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

ELEVENTH LEGISLATIVE DAY

Helena, Montana
June 27, 1986

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Asay, Driscoll, Garcia, Keyser, Spaeth, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the tenth legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/26/86
Correctly printed: HB 35.

EDUCATION AND CULTURAL RESOURCES (Harrington, Chairman): 6/26/86

SB 10, be concurred in. Report adopted.
SB 15, be concurred in. Report adopted.

STATE ADMINISTRATION (Sales, Chairman): 6/27/86
HB 51, introduced bill, be amended as follows:

1. Title, line 7.
Following: "PROVIDING"
Insert: "AN"

2. Title, line 8.
Strike: "DATES"
Insert: "DATE"

3. Page 1, line 18.
Strike: "within 10"
Insert: "no later than 12"

4. Page 1, lines 18 and 19.
Strike: "of" on line 18 through "to" on line 19
Insert: "after the deadline provided in"

5. Page 4, line 6.
Strike: "80"
Insert: "78"

6. Page 5, line 7.
Strike: "dates"
Insert: "date"

And, as amended, do pass. Report adopted.

Adverse Committee Report

TAXATION (Devlin, Chairman): 6/27/86
SB 14, be not concurred in.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 6/26/86

HB 2, introduced by Eudaily

HB 10, introduced by Abrams

HB 22, introduced by Sands

HB 23, introduced by Ream

HB 24, introduced by J. Brown

HB 25, introduced by J. Brown

HB 26, introduced by J. Brown

MOTIONS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House stand in recess until 9:30 a.m. Motion carried.

House recessed at 8:10 a.m.

House reconvened at 9:45 a.m.

Mr. Speaker in the Chair.

Representatives Williams and Peck excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 35 - Representative Menahan moved that HB 35, second reading copy, be amended as follows:

1. Page 2, line 22.
Following: "PURPOSES"
Strike: "AND"
Insert: "or"

2. Page 3, line 22.
Strike: "AND"
Insert: "or"

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: None.
Total 0

Excused: Asay, Driscoll, Garcia, Keyser, Peck, Spaeth, Williams.
Total 7

Absent or not voting: Bardanouve.
Total 1

Representative Menahan moved that HB 35, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow, Mr. Speaker.
Total 89

Noes: None.
Total 0

Excused: Asay, Driscoll, Garcia, Keyser, Peck, Spaeth, Williams.
Total 7

Absent or not voting: Bardanouve, Ellerd, Harrington, Zabrocki.
Total 4

HB 41 - Representative Cohen moved that HB 41, second reading copy, be amended. Amendment failed. (31-63)

Representatives Peck, Asay, and Spaeth present at this time.

Representative J.K. Moore moved that HB 41 do pass. Motion carried as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Connelly, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 55

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Darko, Driscoll, Fritz, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, McCormick, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Stang, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 44

Paired: Asay, Keyser, Rehberg, Sands, Ayes; Driscoll, Harrington, Rapp-Svrcek, Williams, Noes.

Excused: Garcia.

Total 1

Absent or not voting: None.
Total 0

HB 45 - Representative Quilici moved that HB 45 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Hand, Hansen, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Koehnke, Krueger, Lory, Manuel, Menahan, Miles, Montayne, J.K. Moore, Nathe, Nisbet, Pavlovich, Peck, Peterson, Quilici, Rapp-Svrcek, Ream, Schye, Smith, Spaeth, Stang, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 58

Noes: Asay, Campbell, Cobb, Devlin, Ellerd, Ernst, Glaser, Grady, Hannah, Hanson, Harbin, Jenkins, Keller, Kennerly, Kitselman, McCormick, Marks, Mercer, Miller, J. Moore, Neill, Nelson, O'Connell, O'Hara, Patterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Zabrocki.
Total 40

Paired: Driscoll, Williams, Ayes; Rehberg, Sands, Noes.

Excused: Garcia, Keyser.
Total 2

Absent or not voting: None.
Total 0

HB 30 - Representative Bardanouve moved that Senate amendments to HB 30 be not concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: D. Brown, O'Hara.
Total 2

Excused: Driscoll, Garcia, Keyser, Williams.
Total 4

Absent or not voting: Asay.
Total 1

SB 10 - Representative Peck moved that SB 10 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin,

Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow, Zabrocki.
Total 93

Noes: Bardanouve.
Total 1

Excused: Driscoll, Garcia, Keyser, Williams.
Total 4

Absent or not voting: Kadas, Mr. Speaker.
Total 2

SB 15 - Representative Cobb moved that SB 15 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: Jenkins, Nathe.
Total 2

Excused: Driscoll, Garcia, Keyser, Williams.
Total 4

Absent or not voting: Asay, Glaser.
Total 2

HB 51 - Representative Mercer moved that HB 51, second reading copy, be amended as follows:

1. Page 5.
Following: line 7
Insert: "NEW SECTION. Section 7. Saving clause. This act does not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun before the effective date of this act."
Renumber: subsequent section

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser,

Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Fritz, Kennerly, Nisbet, O'Connell, Swift, Veleber.
Total 6

Excused: Driscoll, Garcia, Keyser, Williams.
Total 4

Absent or not voting: Marks, Menahan.
Total 2

Representative Mercer moved that HB 51, as amended, do pass. Motion carried as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Mercer, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Stang, Switzer, Thoft, Wallin, Winslow.
Total 53

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Fritz, Hansen, Harbin, Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Krueger, McCormick, Menahan, Miles, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Swift, Thomas, Veleber, Zabrocki, Mr. Speaker.
Total 43

Paired: Keyser, Aye; Addy, No.

Excused: Driscoll, Garcia, Williams.
Total 3

Absent or not voting: Marks.
Total 1

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (76-19)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 35 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp,

Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 97

Noes: None.
Total 0

Excused: Driscoll, Garcia, Keyser.
Total 3

Absent or not voting: None.
Total 0

HB 41 passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.
Total 54

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Devlin, Driscoll, Fritz, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Krueger, McCormick, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Stang, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 45

Paired: Keyser, Rehberg, Ayes; Driscoll, Rapp-Svrcek, Noes.

Excused: Garcia.
Total 1

Absent or not voting: None.
Total 0

HB 45 passed as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Ellison, Eudaily, Fritz, Gilbert, Gould, Hand, Hansen, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Kitselman, Koehnke, Krueger, Lory, Manuel, Menahan, Miles, Montayne, J.K. Moore, Nathe, Nisbet, Pavlovich, Peck, Peterson, Quilici, Rapp-Svrcek, Ream, Schye, Smith, Spaeth, Stang, Veleber, Wallin, Williams, Mr. Speaker.
Total 57

Noes: Asay, Campbell, Cobb, Devlin, Ellerd, Ernst, Glaser, Grady, Hannah, Hanson, Harbin, Jenkins, Keller, Kennerly, Keyser, McCormick, Marks, Mercer, Miller, J. Moore, Neill, Nelson, O'Connell, O'Hara, Patterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Swift, Switzer, Thoft, Thomas, Winslow, Zabrocki.
Total 41

Paired: Quilici, Aye; Keyser, No.

Excused: Driscoll, Garcia.
Total 2

Absent or not voting: None.
Total 0

SB 10 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: Simon.
Total 1

Excused: Driscoll, Garcia, Keyser.
Total 3

Absent or not voting: None.
Total 0

SB 15 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Jenkins, Nathe.
Total 2

Excused: Driscoll, Garcia, Keyser.
Total 3

Absent or not voting: None.
Total 0

HB 51 passed as follows:

Ayes: Asay, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keller,

Keyser, Kitselman, Koehnke, Lory, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Stang, Switzer, Thoft, Wallin, Winslow.
Total 54

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Fritz, Hansen, Harbin, Harper, Harrington, Hart, Howe, Kadas, Keenan, Kennerly, Krueger, McCormick, Menahan, Miles, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Swift, Thomas, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 44

Paired: Keyser, Aye; Addy, No.

Excused: Driscoll, Garcia.
Total 2

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/27/86
Correctly printed: HB 51.
Correctly enrolled: HB 2, HB 24, HB 26.

STATE ADMINISTRATION (Sales, Chairman): 6/26/86
SB 18, referred to the committee of the whole without recommendation. Report adopted.

MESSAGES FROM THE OTHER HOUSE

The Senate, on 6/27/86, requested the return of the following House bill for further consideration:

HB 10, introduced by Abrams

SB 22, introduced by Blaylock, requiring adoption by an affirmative roll call vote of two-thirds of all the members of each house of the Legislature, passed the Senate and is transmitted to the House with the following vote: 6/26/86

Senate

Yeas - 45
Nays - 5

Senate bill passed and transmitted to the House for concurrence: 6/26/86

SB 19, introduced by Christiaens

MOTIONS

Representative Harper moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 30. Motion carried.

Representative Harper moved that the House accede to the request of the Senate for the return of HB 10 for further consideration. Motion carried.

Representative Garcia present at this time.

Representative Bardanouve moved that HB 14 be taken from the Committee on Local Government and placed on second reading this day. Motion carried. (82-12)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bills were introduced, read first time, and referred to committees:

SB 19, introduced by Christiaens, Rapp-Svrcek, Ramirez, O'Hara, Goodover, Crippen, Swift, McCallum, Severson, Thayer. Referred to Committee on Taxation.

SB 22, introduced by Blaylock. Referred to Committee on Judiciary.

UNFINISHED BUSINESS

The Speaker appointed the following conference committee to meet with a like committee from the Senate on Senate amendments to HB 30:

Representative Bardanouve
Representative Quilici
Representative Nathe
Representative J.K. Moore

MOTIONS

Representative Harper moved that the House stand in recess until 1:00 p.m. Motion carried.

House recessed at 11:45 a.m.

House reconvened at 1:10 p.m.

Mr. Speaker in the Chair.

Representatives Driscoll, Hand, Grady, and Peck excused at this time.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Driscoll present at this time.

HB 14 - Representative Bardanouve moved that HB 14 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Brandewie, J. Brown, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Hannah, Hanson, Harp, Harper, Hayne, Holliday, Iverson, Jenkins, Keller, Kennerly, Kitselman, Koehnke, Manuel, Marks, Montayne, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peck, Peterson, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 53

Noes: Bachini, Bradley, D. Brown, Campbell, Cobb, Cohen, Connelly, Darko, Eudaily, Fritz, Garcia, Hansen, Harbin, Harrington, Hart, Howe, Jones, Kadas, Keenan, Krueger, Lory, McCormick, Menahan, Mercer,

Miles, Miller, J. Moore, Neill, Nisbet, O'Connell, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Schye, Simon, Stang, Thomas, Veleber.
Total 42

Paired: Peck, Aye; Harrington, No.

Excused: Driscoll, Grady, Hand, Keyser.
Total 4

Absent or not voting: Smith.
Total 1

SB 18 - Representative Ellerd moved that SB 18 be not concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 90

Noes: Asay, Hayne, Sales, Switzer.
Total 4

Excused: Grady, Hand, Keyser, Peck.
Total 4

Absent or not voting: Marks, Smith.
Total 2

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (91-4)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 14 passed as follows:

Ayes: Addy, Asay, Bardanouve, Brandewie, J. Brown, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Gould, Hannah, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Keller, Kennerly, Kitselman, Koehnke, Manuel, Marks, Montayne, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Spaeth, Swift, Switzer, Thoft, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 53

Noes: Abrams, Bachini, Bradley, D. Brown, Campbell, Cobb, Cohen, Connelly, Darko, Driscoll, Eudaily, Fritz, Hansen, Hanson, Harbin, Harrington, Howe, Jones, Kadas, Keenan, Krueger, Lory, McCormick, Menahan, Mercer, Miles, Miller, J. Moore, Neill, Nisbet, O'Connell,

Phillips, Pistoria, Poff, Quilici, Raney, Ream, Schye, Simon, Stang, Thomas, Veleber.
Total 42

Excused: Grady, Hand, Keyser, Peck.
Total 4

Absent or not voting: Smith.
Total 1

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/27/86
Correctly printed: HB 50.
Correctly enrolled: HB 22, HB 23, HB 25.

BUSINESS AND LABOR (Pavlovich, Chairman): 6/27/86
HB 50, introduced bill, be amended as follows:

1. Title, line 10.
Following: "RESOLUTION;"
Insert: "PROVIDING FOR THE PRICING OF LIQUOR;"

2. Page 2, line 18.
Following: "sold"
Strike: ", and prices"
Insert: ". Such pricing:

(a) may not be fixed until after notice and public hearing as provided in the Montana Administrative Procedure Act;

(b) shall provide that prices do not exceed retail prices of the same items in contiguous states; and

(c)"

And, as amended, do pass. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bill concurred in as amended and returned to the House for concurrence in Senate amendments: 6/26/86

HB 37, introduced by Cobb

MOTIONS

Representative Marks moved that SB 14 be taken from adverse committee report status and placed on second reading this day. Motion carried. (66-30)

MESSAGES FROM THE OTHER HOUSE

The Senate, on 6/27/86, failed to concur in House amendments to SB 9 and appointed a free conference committee, requesting that the House appoint a like committee to confer on SB 9.

The President appointed the following members:

Senator Van Valkenburg
Senator Blaylock
Senator B. Brown

MOTIONS

Representative Harper moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 9. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following free conference committee to meet with a like committee from the Senate on SB 9:

Representative Harrington
Representative Peck
Representative Donaldson
Representative Eudaily

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Ream in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 14 - Representative Winslow moved that SB 14, third reading copy, be amended as follows:

1. Title, line 11.
Strike: "5"
Insert: "2"

2. Page 2, line 9.
Strike: "20"
Insert: "17"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, J. Brown, Campbell, Cohen, Compton, Connelly, Darko, Devlin, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harbin, Harper, Hart, Iverson, Jenkins, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Marks, Menahan, Montayne, Nathe, Neill, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Raney, Rapp-Svrcek, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Switzer, Thoft, Veleber, Wallin, Winslow, Mr. Speaker.
Total 64

Noes: Bardanouve, Bradley, Brandewie, D. Brown, Cobb, Cody, Donaldson, Driscoll, Fritz, Harp, Harrington, Hayne, Holliday, Howe, Jones, Kadas, Krueger, Manuel, Mercer, Miles, Miller, J.K. Moore, J. Moore, O'Hara, Phillips, Poff, Ramirez, Ream, Rehberg, Swift, Thomas, Williams, Zabrocki.
Total 33

Paired: Grady, Keyser, Smith, Ayes; Brandewie, Cobb, Harp, Noes.

Excused: Hand, Peck, Quilici.
Total 3

Absent or not voting: None.
Total 0

Representatives Grady, Quilici, and Smith present at this time.

Representative Harp moved that SB 14, third reading copy, be further amended as follows:

.5. Title, lines 23 and 24.

Strike: "AND AN APPLICABILITY DATE"

1. Title, lines 16 and 17.
Strike: "GENERAL FUND"
Insert: "HIGHWAY RECONSTRUCTION TRUST FUND ACCOUNT IN THE STATE SPECIAL REVENUE FUND"

2. Page 5, lines 18 and 19.
Strike: "credit" through "state"
Insert: "highway reconstruction trust fund account in the state special revenue fund"

3. Page 5, lines 22 and 23.
Strike: "credit" through "state"
Insert: "highway reconstruction trust fund account in the state special revenue fund"

4. Page 7, line 16.
Strike: "credit" through "state"
Insert: "highway reconstruction trust fund account in the state special revenue fund"

5. Page 9.
Following: line 14
Insert: ": (a) from the taxes collected pursuant to 15-35-103 for each fiscal year beginning on or after July 1, 1986, and ending on or before June 30, 1993, the amounts allocated to the account pursuant to 15-35-108; and (b)"

6. Page 13, line 25 through line 2, page 14.
Strike: subsection (3) in its entirety

Amendment passed as follows:

Ayes: Abrams, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harrington, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, Nathe, Neill, Nelson, O'Connell, O'Hara, Patterson, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Thoft, Thomas, Wallin, Williams, Winslow.
Total 71

Noes: Addy, Bardanouve, Bradley, Cody, Cohen, Devlin, Fritz, Gould, Hansen, Harper, Hart, Howe, Kadas, Kennerly, Koehnke, Krueger, Manuel, Montayne, J. Moore, Nisbet, Pavlovich, Raney, Ream, Switzer, Veleber, Zabrocki, Mr. Speaker.
Total 27

Excused: Keyser, Peck.
Total 2

Absent or not voting: None.
Total 0

Representative Harp moved that SB 14, as amended, be concurred in. Motion carried as follows:

Ayes: Addy, Bradley, Brandewie, J. Brown, Campbell, Cody, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hand, Harbin, Harp, Harrington, Hart, Holliday, Howe, Kadas, Keenan,

Keller, Kennerly, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Nathe, Nelson, Pavlovich, Peterson, Quilici, Ramirez, Rapp-Svrcek, Ream, Sands, Schye, Smith, Spaeth, Stang, Thomas, Williams, Winslow, Mr. Speaker.
Total 51

Noes: Abrams, Asay, Bachini, Bardanouve, D. Brown, Cobb, Cohen, Compton, Connelly, Ellerd, Ernst, Garcia, Glaser, Hannah, Hansen, Hanson, Harper, Hayne, Iverson, Jenkins, Jones, Keyser, Kitselman, Koehnke, McCormick, Miller, Montayne, J.K. Moore, J. Moore, Neill, Nisbet, O'Connell, O'Hara, Patterson, Phillips, Pistoria, Poff, Raney, Rehberg, Sales, Schultz, Simon, Swift, Switzer, Thoft, Veleber, Wallin, Zabrocki.
Total 48

Paired: Quilici, Aye; Keyser, No.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Ream moved the adoption of the committee report. Report adopted. (67-29)

MOTIONS

Representative Harper moved that the free conference committee on SB 9 be dissolved and that the Speaker be authorized to appoint a new free conference committee to meet with a like committee from the Senate to confer on SB 9. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following new free conference committee to meet with a like committee from the Senate on SB 9:

Representative Harrington
Representative Spaeth
Representative Donaldson
Representative Eudaily

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 14 concurred in as follows:

Ayes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Gilbert, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Keller, Kennerly, Krueger, Lory, Manuel, Marks, Menahan, Mercer, Miles, Nathe, Nelson, Pavlovich, Peterson, Quilici, Ramirez, Rapp-Svrcek, Ream, Sands, Schye, Smith, Spaeth, Stang, Thomas, Williams, Winslow, Mr. Speaker.
Total 55

Noes: Abrams, Asay, Bachini, D. Brown, Cobb, Cohen, Compton, Connelly, Ellerd, Ernst, Garcia, Glaser, Hannah, Harper, Hayne, Iverson, Jones, Keyser, Kitselman, Koehnke, McCormick, Miller, Montayne, J.K.

Moore, J. Moore, Neill, Nisbet, O'Connell, O'Hara, Patterson, Phillips, Pistoria, Poff, Raney, Rehberg, Sales, Schultz, Simon, Swift, Switzer, Thoft, Veleber, Wallin, Zabrocki.
Total 44

Paired: Hand, Quilici, Ayes; Cohen, Keyser, Noes.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

ANNOUNCEMENTS

Committee meetings were announced by committee chairmen.

Representative Harper moved that the House adjourn until 8:00 a.m., June 28, 1986.

Motion carried.

House adjourned at 3:00 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

TWELFTH LEGISLATIVE DAY

Helena, Montana
June 28, 1986

House Chambers
State Capitol

House convened at 8:00 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Harbin, Keyser, Menahan, J. Moore, Peck, Thomas, excused. Quorum present.

MESSAGES FROM THE OTHER HOUSE

The Senate, on 6/27/86, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 30.

The President appointed the following members:

Senator Regan
Senator Jacobson
Senator Keating

MOTIONS

Representative Harper moved that the conference committee on HB 30 be dissolved and that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate on HB 30. Motion carried.

Representative Harbin present at this time.

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 52, introduced by J. Moore, Sales, Cohen, J.K. Moore, Cody, Garcia, Peterson, Connelly, O'Hara, Howe, Veleber, Hansen, Kadas, Spaeth, Miller, Darko, Rapp-Svrcek, Raney, Schye, Nisbet, Koehnke, Fritz, Lory, Eudaily. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 50 - Representative Simon moved that consideration of HB 50 be placed below HB 37 on the second reading board. Motion carried.

HB 37 - Representative Cobb moved that Senate amendments to HB 37 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas,

Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Spaeth, Stang, Swift, Switzer, Thoft, Veleber, Wallin, Williams, Winslow, Zabrocki.
Total 90

Noes: None.
Total 0

Excused: Keyser, Menahan, J. Moore, Peck, Thomas, Mr. Speaker.
Total 6

Absent or not voting: Asay, Fritz, Hayne, Smith.
Total 4

HB 50 - Representative Simon moved that HB 50, second reading copy, be amended as follows:

1. Page 2, line 22.
Following: "sold"
Insert: "in a manner consistent with the provisions of the Montana Administrative Procedure Act, and prices"

2. Page 2, line 22.
Strike: "." through "(C)" page 3, line 3

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Veleber, Wallin, Williams, Winslow, Zabrocki.
Total 87

Noes: Cohen, Jenkins, Ramirez.
Total 3

Excused: Keyser, Menahan, J. Moore, Peck, Thomas, Mr. Speaker.
Total 6

Absent or not voting: Hansen, Kadas, O'Connell, Rapp-Svrcek.
Total 4

Representative J. Moore present at this time.

Representatives Donaldson, Harrington, and Eudaily excused at this time.

Representative Pavlovich moved that HB 50, as amended, do pass. Motion failed. (48-50)

Representative Harper moved that HB 50, as amended, do not pass. Motion carried as follows:

Ayes: Addy, Asay, Bardanouve, Bradley, Brandewie, Campbell, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert,

Hannah, Hanson, Harbin, Harp, Hayne, Iverson, Jenkins, Kadas, Keller, Keyser, Kitselman, Koehnke, Lory, Marks, Mercer, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Ramirez, Raney, Rehberg, Sales, Sands, Schultz, Simon, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.
Total 51

Noes: Abrams, Bachini, D. Brown, J. Brown, Cobb, Cody, Cohen, Driscoll, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hansen, Harper, Harrington, Hart, Holliday, Howe, Jones, Keenan, Kennerly, Krueger, McCormick, Manuel, Menahan, Miles, Miller, Montayne, J. Moore, Neill, Nisbet, O'Connell, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Ream, Schye, Smith, Stang, Veleber, Zabrocki, Mr. Speaker.
Total 48

Paired: Donaldson, Eudaily, Keyser, Ramirez, Rehberg, Thomas, Ayes; D. Brown, Harrington, Jones, Krueger, Menahan, Quilici, Noes.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (78-13)

Representative Menahan present at this time.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 37, Senate amendments, concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Donaldson, Eudaily, Harrington, Keyser, Peck, Thomas.
Total 6

Absent or not voting: Spaeth.
Total 1

REPORTS OF STANDING COMMITTEES

NATURAL RESOURCES (Iverson, Chairman): 6/27/86
HB 49, introduced bill, be amended as follows:

1. Title, line 6.
Following: "THROUGH"
Insert: "TEMPORARY"

2. Title, line 8.
Following: "DIOXIDE"
Insert: "IN AREAS CURRENTLY EXCEEDING THE STATE ANNUAL AVERAGE STANDARD"

3. Page 1, line 24.
Strike: "0.03"
Insert: "0.02"

4. Page 1, line 25.
Following: "exceeded"
Insert: ", except that persons causing or contributing to ambient annual concentrations of sulfur dioxide that exceed 0.02 as of July 1, 1986, must be considered in compliance with this rule until July 1, 1987, if ambient concentrations do not exceed 0.03"

And, as amended, do pass. Report adopted.

TAXATION (Devlin, Chairman): 6/28/86
SB 20, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 6/27/86

HB 7, introduced by Winslow

HB 10, introduced by Abrams

HB 16, introduced by Schye

HB 21, introduced by Bardanouve

HB 36, introduced by Addy

HB 47, introduced by Jenkins

HB 33, introduced by Hand

HB 38, introduced by M. Williams

HB 40, introduced by Cobb

HB 48, introduced by Grady

HJR 3, introduced by Thomas

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 6/26/86

HB 32, introduced by Wallin

House bills concurred in as amended and returned to the House for concurrence in Senate amendments: 6/27/86

HB 11, introduced by Manuel

HB 31, introduced by Spaeth

HB 39, introduced by Peck

HB 45, introduced by Quilici

Senate bill passed and transmitted to the House for concurrence: 6/26/86

SJR 1, introduced by Jacobson

The Senate, on 6/27/86, failed to concur in House amendments to SB 14 and appointed a free conference committee, requesting that the House appoint a like committee to confer on SB 14.

The President appointed the following members:

Senator Neuman
Senator Lynch
Senator McCallum

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SJR 1, introduced by Jacobson, Halligan, Donaldson, J.K. Moore, Peck, Hand, Haffey, Hammond. Referred to Committee on Appropriations.

MOTIONS

Representative Harper moved that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 14. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following free conference committee to meet with a like committee from the Senate on SB 14:

Representative Sands
Representative Harp
Representative Harper
Representative Bardanouve

The Speaker appointed the following free conference committee to meet with a like committee from the Senate on HB 30:

Representative J.K. Moore
Representative Bardanouve
Representative Nathe
Representative Quilici

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 11 - Representative Manuel moved that Senate amendments to HB 11 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe,

Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 91

Noes: None.
Total 0

Excused: Donaldson, Eudaily, Harrington, Keyser, Peck, Thomas.
Total 6

Absent or not voting: Kennerly, Peterson, Spaeth.
Total 3

HB 31 - Representative Harper moved that consideration of Senate amendments to HB 31 be passed to the bottom of the board. Motion carried.

Representative Thomas present at this time.

Representative Addy excused at this time.

HB 39 - Representative D. Brown moved that Senate amendments to HB 39 be not concurred in. Motion failed. (35-60)

Representatives Addy, Harrington, Donaldson, and Eudaily present at this time.

Representative Harper moved that Senate amendments to HB 39 be concurred in. Motion carried as follows:

Ayes: Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Howe, Jenkins, Jones, Keller, Kitselman, Koehnke, McCormick, Manuel, Marks, Mercer, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.
Total 61

Noes: Abrams, Addy, Bradley, D. Brown, Cobb, Cody, Cohen, Connelly, Driscoll, Fritz, Garcia, Hansen, Harbin, Harper, Harrington, Hart, Iverson, Kadas, Keenan, Kennerly, Krueger, Lory, Menahan, Miles, J. Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Stang, Veleber, Mr. Speaker.
Total 37

Excused: Keyser, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 45 - Representative Quilici moved that Senate amendments to HB 45 be concurred in. Representative Sands made a substitute motion that Senate amendments to HB 45 be not concurred in. The substitute motion carried as follows:

Ayes: Asay, Bachini, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Glaser, Grady, Hannah, Hanson, Harbin, Hayne, Keller, Kitselman, Koehnke, McCormick, Marks, Mercer, Miller, Neill, Nelson, O'Connell,

O'Hara, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki.
Total 54

Noes: Abrams, Addy, Bardanouve, Bradley, Brandewie, Cohen, Connelly, Darko, Driscoll, Fritz, Gilbert, Gould, Hand, Hansen, Harp, Harrington, Hart, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Kennerly, Krueger, Lory, Manuel, Menahan, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nisbet, Quilici, Smith, Spaeth, Stang, Veleber, Williams, Mr. Speaker.
Total 42

Excused: Keyser, Peck.
Total 2

Absent or not voting: Harper, Pavlovich.
Total 2

HB 32 - Representative Wallin moved that Senate amendments to HB 32 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: Asay, D. Brown, Lory, J.K. Moore, Ream, Schye.
Total 6

Excused: Keyser, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 31 - Representative Spaeth moved that Senate amendments to HB 31 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Brandewie, J. Brown, Cobb, Cohen, Compton, Devlin, Ellerd, Ellison, Ernst, Gilbert, Glaser, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Keller, Kitselman, Koehnke, Manuel, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Mr. Speaker.
Total 56

Noes: Bachini, Bradley, D. Brown, Campbell, Cody, Connelly, Darko, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Gould, Grady, Hansen, Harbin, Harper, Harrington, Hart, Howe, Jones, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Marks, Menahan, Miles, Montayne, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Ream, Schye, Stang, Veleber, Zabrocki.

Total 42

Excused: Keyser, Peck.
Total 2

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (75-21)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 11, Senate amendments, concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 96

Noes: O'Connell.
Total 1

Excused: Keyser, Peck.
Total 2

Absent or not voting: Switzer.
Total 1

HB 39, Senate amendments, concurred in as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Brandewie, J. Brown, Campbell, Compton, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, McCormick, Manuel, Marks, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Stang, Swift, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki.
Total 62

Noes: Addy, Bradley, D. Brown, Cobb, Cody, Cohen, Connelly, Driscoll, Eudaily, Fritz, Garcia, Hansen, Harbin, Harper, Harrington, Hart, Kadas, Keenan, Kennerly, Krueger, Lory, Menahan, Miles, Montayne, Nisbet, O'Connell, Pavlovich, Pistoria, Raney, Rapp-Svrcek, Ream, Schye, Veleber, Mr. Speaker.
Total 34

Excused: Keyser, Peck.

Total 2

Absent or not voting: Poff, Switzer.
Total 2

HB 32, Senate amendments, concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Hayne, Holliday, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: D. Brown, Harper, Harrington, Hart, Howe, Kadas, Kennerly, Lory, Ream.
Total 9

Excused: Keyser, Peck.
Total 2

Absent or not voting: Williams.
Total 1

HB 31, Senate amendments, concurred in as follows:

Ayes: Abrams, Addy, Asay, Bardanouve, Brandewie, J. Brown, Cohen, Compton, Devlin, Ellerd, Ellison, Ernst, Gilbert, Glaser, Hand, Hannah, Hanson, Harp, Hayne, Holliday, Iverson, Jenkins, Keller, Kitselman, Koehnke, Manuel, Mercer, Miller, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Poff, Ramirez, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.
Total 53

Noes: Bachini, Bradley, D. Brown, Campbell, Cobb, Cody, Connelly, Darko, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Gould, Grady, Hansen, Harbin, Harper, Harrington, Hart, Howe, Jones, Kadas, Keenan, Kennerly, Krueger, Lory, McCormick, Marks, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Pistoria, Quilici, Raney, Ream, Schye, Stang, Veleber, Zabrocki, Mr. Speaker.
Total 45

Excused: Keyser, Peck.
Total 2

Absent or not voting: None.
Total 0

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/28/86
Correctly printed: HB 49.

TAXATION (Devlin, Chairman): 6/28/86
HB 44, introduced bill, be amended as follows:

1. Page 2, line 2.

Following: "protest"
Insert: ", which grounds may include but are not limited to changes in assessment due to reappraisal under 15-7-111"

2. Page 6, line 9.
Following: "and at the"
Insert: "combined"
Following: "rate of"
Strike: "10%"
Insert: "the federal reserve discount rate quoted from the federal reserve bank in New York, New York, on the date of final resolution, plus four percentage points,"

3. Page 6, line 17.
Following: "general fund"
Insert: ", except that amount generated by the all-purpose mill levy,"

And, as amended, do pass. Report adopted.

SB 19, third reading copy, be amended as follows:

1. Title, line 8.
Following: "ASSESSMENTS"
Insert: "MADE UNDER SECTION 15-7-111, MCA,"

2. Title, line 16.
Following: "DATE"
Insert: "AND AN APPLICABILITY DATE"

3. Preamble, page 1, line 20.
Following: "ASSESSMENTS"
Insert: "made under section 15-7-111, MCA,"

4. Preamble, page 2, line 10.
Following: "ASSESSMENTS"
Insert: "made under section 15-7-111, MCA,"

5. Page 5.
Strike: lines 1 through 25 in their entirety
Renumber: subsequent sections
Renumber: internal references as necessary

6. Page 6, line 1.
Strike: "2"
Insert: "1"

7. Page 6, line 5.
Strike: "UNDER [SECTION 1]"

8. Page 6, lines 7 through 12.
Following: "ASSESSMENTS" on line 7
Strike: remainder of line 7 through "NOTICE" on line 12
Insert: "in the aggregate"

9. Page 6, line 13.
Strike: "3"
Insert: "2"

10. Page 7, line 1.
Strike: "sections"
Insert: section"
Strike: "and 2"

11. Page 7, line 4.

Strike: "4"
Insert: "3"

12. Page 9, line 13.
Following: "SEND A"
Insert: "revised"

13. Page 9, lines 14 and 15.
Following: "IN" on line 14
Strike: "SECTION 1 OF THIS ACT"
Insert: "15-7-102"

14. Page 9, line 19.
Strike: "6"
Insert: "5"

15. Pages 9 and 10.
Strike: line 25, page 9 through line 3, page 10
Renumber: subsequent sections

16. Page 10, line 4.
Strike: "8"
Insert: "6"

17. Page 10, line 8.
Strike: "9"
Insert: "7"
Following: "date"
Insert: "— applicability"

18. Page 10, line 9.
Following: "approval"
Insert: "and applies to tax year 1986"

And, as amended, be concurred in. Report adopted.

MOTIONS

Representative Pistoria moved that his vote on Senate amendments to HB 31, third reading, be changed from yes to no. Motion carried.

Representative Harper moved that the House stand in recess until 10:30 a.m. Motion carried.

House recessed at 9:30 a.m.

House reconvened at 10:40 a.m.

Mr. Speaker in the Chair.

Representative Harper moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on Senate amendments to HB 45. Motion carried.

UNFINISHED BUSINESS

The Speaker appointed the following conference committee to meet with a like committee from the Senate on Senate amendments to HB 45:

Representative Quilici
Representative Raney
Representative Gilbert
Representative Switzer

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Poff excused at this time.

SB 19 - Representative Rapp-Svrcek moved that SB 19 be concurred in. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: Abrams, Hart, Hayne, Manuel.
Total 4

Excused: Keyser, Peck, Poff.
Total 3

Absent or not voting: Harrington.
Total 1

SB 20 - Representative Mercer moved that SB 20, third reading copy, be amended as follows:

1. Title, lines 9 through 13.
Strike: "TO" on line 9 through "LAWS" on line 13
Insert: "TO REVISE THE ELIGIBILITY OF LAND FOR VALUATION AS AGRICULTURAL"

2. Title, line 15.
Strike: "SECTION"
Insert: "SECTIONS 15-7-202 AND"

3. Page 8.
Following: line 13
Insert: "Section 1. Section 15-7-202, MCA, is amended to read:

"15-7-202. Eligibility of land for valuation as agricultural. (1) Contiguous or noncontiguous parcels of land totaling 20 acres or more under one ownership shall be eligible for valuation, assessment, and taxation as agricultural land each year that none of the parcels is devoted to a commercial or industrial use.

~~(1)~~(2) Contiguous or noncontiguous parcels of land totaling less than 20 acres under one ownership that are actively devoted to agricultural use shall be eligible for valuation, assessment, and taxation as herein provided each year the parcels meet any of the following qualifications:

(a) the parcels produce and the owner or the owner's agent, employee, or lessee markets not less than $1,500 in annual gross income from the raising of livestock, poultry, field crops, fruit, and other animal and vegetable matter for food or fiber; or

(b) the parcels would have met the qualification set out in subsection ~~(1)~~(2)(a) were it not for independent intervening causes of production failure beyond the control of the producer or marketing delay for economic advantage, in which case proof of qualification in a prior year will suffice.

~~(2)~~(3) Parcels that do not meet the qualifications set out in ~~subsection~~ subsections (1) and (2) shall not be classified or valued as agricultural if they are part of a platted subdivision that is filed with the county clerk and recorder in compliance with the Montana Subdivision and Platting Act.

~~(3)~~(4) Land shall not be classified or valued as agricultural if it is subdivided with stated restrictions prohibiting its use for agricultural purposes.

~~(4)~~(5) The grazing on land by a horse or other animals kept as a hobby and not as a part of a bona fide agricultural enterprise shall not be considered a bona fide agricultural operation.

~~(5)~~(6) If land has been valued, assessed, and taxed as agricultural land in any year, it shall continue to be so valued, assessed, and taxed until the department reclassifies the property. A reclassification does not mean revaluation pursuant to 15-7-111.

~~(6)~~(7) For the purposes of this part, growing timber is not an agricultural use. (Subsection (6) terminates January 1, 1991—sec. 10, Ch. 681, L. 1985.)""
Renumber: subsequent sections

4. Page 8, lines 14 through 23.
Strike: section 1 in its entirety
Renumber: subsequent sections

5. Page 8, line 24.
Page 8, line 25.
Page 9, line 7.
Page 9, line 9.
Page 9, line 12.
Page 9, line 13.
Page 9, line 24.
Page 11, line 12.
Strike: "NINETEEN"
Insert: "eighteen"

Amendment passed as follows:

Ayes: Asay, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Mr. Speaker.

Total 77

Noes: Abrams, Addy, Bachini, Bardanouve, Cohen, Connelly, Fritz, Hansen, Harper, Harrington, Hart, Holliday, Kadas, Keenan, Manuel, Miles, J. Moore, Peck, Ream, Veleber, Williams, Zabrocki.
Total 22

Paired: Rehberg, Aye; Peck, No.

Excused: Keyser.
Total 1

Absent or not voting: None.
Total 0

Representative Poff present at this time.

Representative Swift moved that SB 20, third reading copy, be further amended as follows:

1. Title, line 15.
Strike: "SECTION"
Insert: "SECTIONS 15-6-134 AND"

2. Page 6.
Following: line 14
Insert: "Section 1. Section 15-6-134, MCA, is amended to read:

"15-6-134. Class four property — description — taxable percentage. (1) Class four property includes:

(a) all land except that specifically included in another class;

(b) all improvements except those specifically included in another class;

(c) the first $35,000 or less of the market value of any improvement on real property and appurtenant land not exceeding 5 acres owned or under contract for deed and actually occupied for at least 10 months a year as the primary residential dwelling of any person whose total income from all sources including otherwise tax-exempt income of all types is not more than $10,000 for a single person or $12,000 for a married couple;

(d) all golf courses, including land and improvements actually and necessarily used for that purpose, that consist of at least 9 holes and not less than 3,000 lineal yards~~.~~;

(e) all land, together with improvements, not devoted to a residential, commercial, industrial, agricultural, or timberland use if the land contains more than 5 acres and less than 20 acres.

(2) Class four property is taxed as follows:

(a) Except as provided in 15-24-1402 or 15-24-1501, property described in subsections (1)(a) and (1)(b) is taxed at the taxable percentage rate "P" of its market value.

(b) Property described in subsection (1)(c) is taxed at the taxable percentage rate "P" of its market value multiplied by a percentage figure based on income and determined from the following table:

Income Single Person	Income Married Couple	Percentage Multiplier
$0 - $1,000	$0 - $1,200	0%
1,001 - 2,000	1,201 - 2,400	10%
2,001 - 3,000	2,401 - 3,600	20%
3,001 - 4,000	3,601 - 4,800	30%
4,001 - 5,000	4,801 - 6,000	40%
5,001 - 6,000	6,001 - 7,200	50%
6,001 - 7,000	7,201 - 8,400	60%
7,001 - 8,000	8,401 - 9,600	70%
8,001 - 9,000	9,601 - 10,800	80%
9,001 - 10,000	10,801 - 12,000	90%

(c) Property described in subsections (1)(d) and (1)(e) is taxed at one-half the taxable percentage rate "P" established in subsection (2)(a).

(3) Until January 1, 1986, the taxable percentage rate "P" for class four property is 8.55%.

(4) Prior to July 1, 1986, the department of revenue shall determine the taxable percentage rate "P" applicable to class four property for the revaluation cycle beginning January 1, 1986, as follows:

(a) The director of the department of revenue shall certify to the governor before July 1, 1986, the percentage by which the appraised value of all property in the state classified under class four as of January 1, 1986, has increased due to the revaluation conducted under 15-7-111. This figure is the certified statewide percentage increase.

(b) The taxable value of property in class four is determined as a function of the certified statewide percentage increase in accordance with the table shown below.

(c) This table limits the statewide increase in taxable valuation resulting from reappraisal to 0%. In calculating the percentage increase, the department may not consider changes resulting from new construction, additions, or deletions during calendar year 1985.

(d) The taxable percentage must be calculated by interpolation to coincide with the nearest whole number certified statewide percentage increase from the following table:

Certified Statewide Percentage Increase	Class Four Taxable Percentage "P"
0	8.55
10	7.77
20	7.12
30	6.57
40	6.10
50	5.70
60	5.34
70	5.02
80	4.75
90	4.50
100	4.27
110	4.07
120	3.88
130	3.71
140	3.56
150	3.42
160	3.28
170	3.16
180	3.05
190	2.94
200	2.85
210	2.75
220	2.67
230	2.59
240	2.51
250	2.44
260	2.37
270	2.31
280	2.25
290	2.19
300	2.13

(5) After July 1, 1986, no adjustment may be made by the department to the taxable percentage rate "P" until a revaluation has been made as provided in 15-7-111.

(6) Within the meaning of comparable property as defined in 15-1-101, property assessed as commercial property is comparable only to other property assessed as commercial property, and property assessed as other than commercial property is comparable only to other property assessed as other than commercial property.""

Amendment passed as follows:

Ayes: Asay, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harp, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow, Zabrocki. Total 67

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, Cohen, Connelly, Fritz, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Kadas, Keenan,

Krueger, McCormick, Manuel, Menahan, Miles, Peck, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Stang, Veleber, Williams, Mr. Speaker.
Total 31

Paired: Hannah, Aye; Peck, No.

Excused: Keyser.
Total 1

Absent or not voting: Marks.
Total 1

Representative Cobb moved that SB 20, third reading copy, be further amended as follows:

1. Title, lines 9 through 13.
Strike: "TO" on line 9 through "LAWS" on line 13

2. Title, line 15.
Strike: "SECTION"
Insert: "SECTIONS 15-7-202 AND"

3. Page 8.
Following: line 13
Insert: "Section 1. Section 15-7-202, MCA, is amended to read:

"15-7-202. Eligibility of land for valuation as agricultural. (1) Contiguous or noncontiguous parcels of land under one ownership that are actively devoted to agricultural use shall be eligible for valuation, assessment, and taxation as herein provided each year the parcels meet any of the following qualifications:

(a) the parcels produce and the owner or the owner's agent, employee, or lessee markets not less than ~~$1,500~~ $1,000 in annual gross income from the raising of livestock, poultry, field crops, fruit, and other animal and vegetable matter for food or fiber; or

(b) the parcels would have met the qualification set out in subsection (1)(a) were it not for independent intervening causes of production failure beyond the control of the producer or marketing delay for economic advantage, in which case proof of qualification in a prior year will suffice.

(2) Parcels that do not meet the qualifications set out in subsection (1) shall not be classified or valued as agricultural if they are part of a platted subdivision that is filed with the county clerk and recorder in compliance with the Montana Subdivision and Platting Act.

(3) Land shall not be classified or valued as agricultural if it is subdivided with stated restrictions prohibiting its use for agricultural purposes.

(4) The grazing on land by a horse or other animals kept as a hobby and not as a part of a bona fide agricultural enterprise shall not be considered a bona fide agricultural operation.

(5) If land has been valued, assessed, and taxed as agricultural land in any year, it shall continue to be so valued, assessed, and taxed until the department reclassifies the property. A reclassification does not mean revaluation pursuant to 15-7-111.

(6) For the purposes of this part, growing timber is not an agricultural use. (Subsection (6) terminates January 1, 1991—sec. 10, Ch. 681, L. 1985.)"

Renumber: subsequent sections

4. Page 10, line 24.
Page 11, line 15.
Strike: "1"
Insert: "2"
Strike: "2"
Insert: "3"

5. Page 12, line 23.
Page 12, line 25.
Strike: "1"
Insert: "2"
Strike: "3"
Insert: "4"

Amendment passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 79

Noes: Abrams, Addy, Bardanouve, Cohen, Ellison, Fritz, Hand, Harbin, Harper, Hart, Holliday, Keenan, Keller, Manuel, Miles, Quilici, Schye, Spaeth, Williams.
Total 19

Excused: Keyser, Peck.
Total 2

Absent or not voting: None.
Total 0

Representative Swift moved that SB 20, as amended, be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 90

Noes: Bardanouve, Harper, Harrington, Holliday, Keenan, McCormick, Manuel, Schye, Williams.
Total 9

Paired: Keyser, Aye; Holliday, No.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

HB 49 - Representative Hannah moved that HB 49 do pass. Motion carried as follows:

Ayes: Addy, Asay, Bachini, Brandewie, Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harp, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Marks, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.
Total 60

Noes: Abrams, Bardanouve, Bradley, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Gould, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Kadas, Keenan, Kennerly, Krueger, McCormick, Menahan, Mercer, Miles, J. Moore, Nisbet, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Veleber, Zabrocki, Mr. Speaker.
Total 37

Excused: Keyser, Peck.
Total 2

Absent or not voting: D. Brown.
Total 1

Representative Bardanouve and Kadas excused at this time.

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (77-17)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 19 concurred in as follows:

Ayes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Hayne, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Abrams, Darko, Harbin, Harper, Hart, Holliday, Manuel.
Total 7

Excused: Bardanouve, Kadas, Keyser, Peck.

Total 4

Absent or not voting: Patterson.
Total 1

SB 20 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harp, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Marks, Menahan, Mercer, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Winslow, Zabrocki, Mr. Speaker.
Total 86

Noes: Cohen, Harbin, Harper, Holliday, Keenan, Manuel, Miles, Schye, Williams.
Total 9

Excused: Bardanouve, Kadas, Keyser, Peck.
Total 4

Absent or not voting: Patterson.
Total 1

HB 49 passed as follows:

Ayes: Addy, Asay, Bachini, Brandewie, D. Brown, Campbell, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harp, Hayne, Howe, Iverson, Jenkins, Jones, Keller, Kitselman, Koehnke, Lory, Manuel, Marks, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.
Total 61

Noes: Abrams, Bradley, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Gould, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Keenan, Kennerly, Krueger, McCormick, Menahan, Mercer, Miles, J. Moore, Nisbet, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Veleber, Zabrocki, Mr. Speaker.
Total 35

Excused: Bardanouve, Kadas, Keyser, Peck.
Total 4

Absent or not voting: None.
Total 0

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 9
Report No. 1, June 28, 1986

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 9 met and considered:

Senate Bill No. 9

We recommend as follows:

That Senate Bill No. 9, reference copy, be amended as follows:

Strike: House amendments, dated 6/25/86, in their entirety.

1. Title, line 10.
Strike: "1986"
Insert: "1987"

2. Page 1, line 16.
Following: "~~years~~"
Insert: "and succeeding years"

3. Page 1, line 17.
Following: "~~years~~"
Insert: "and succeeding school years"

4. Page 1, line 21.
Strike: "$20,358"
Insert: "$20,158"

5. Page 1, line 23.
Strike: "$20,358"
Insert: "$20,158"

6. Page 1, line 24.
Strike: "$850.80"
Insert: "$842.50"

7. Page 2, line 4.
Strike: "$33,369"
Insert: "$33,042"

8. Page 2, line 4.
Strike: "$850.80"
Insert: "$842.50"

9. Page 2, line 7.
Strike: "$28,015"
Insert: "$27,741"

10. Page 2, line 8.
Strike: "$850.80"
Insert: "$842.50"

11. Page 2, line 13.
Strike: "$44,728"
Insert: "$44,290"

12. Page 2, line 13.
Strike: "$532.80"
Insert: "$527.60"

13. Page 2, line 21.
Strike: "$1,977"
Insert: "$1,957"

14. Page 2, line 22.
Strike: "$1.92"

Insert: "$1.90"

15. Page 2, line 25.
Strike: "$1,861"
Insert: "$1,843"

16. Page 3, line 1.
Strike: "$1.76"
Insert: "$1.74"

17. Page 3, line 5.
Strike: "$1,511"
Insert: "$1,496"

18. Page 3, line 15.
Following: "~~years~~"
Insert: "and succeeding years"

19. Page 3, line 16.
Following: "~~years~~"
Insert: "and succeeding school years"

20. Page 3, line 19.
Strike: "$115,982"
Insert: "$114,845"

21. Page 3, line 21.
Strike: "$4,833"
Insert: "$4,785"

22. Page 3, line 22.
Strike: "$26.36"
Insert: "$26.10"

23. Page 4, line 1.
Strike: "$4,411"
Insert: "$4,368"

24. Page 4, line 2.
Strike: "$26.36"
Insert: "$26.10"

25. Page 4, line 5.
Strike: "$2,829"
Insert: "$2,802"

26. Page 4, line 6.
Strike: "$4.41"
Insert: "$4.37"

27. Page 4, line 9.
Strike: "$2,388"
Insert: "$2,365"

28. Page 4, line 10.
Strike: "$2.42"
Insert: "$2.40"

29. Page 4, line 13.
Strike: "$2,146"
Insert: "$2,125"

30. Page 4, line 14.
Strike: "45"

Insert: "44"

31. Page 4, line 17.
Strike: "$2,012"
Insert: "$1,993"

32. Page 5, lines 1 through 5.
Strike: section 3 in its entirety
Renumber: subsequent section

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Van Valkenburg, Chairman	Harrington
	Eudaily
B. Brown	Donaldson
	Spaeth

MESSAGES FROM THE OTHER HOUSE

The Senate, on 6/28/86, dissolved the conference committee on Senate amendments to HB 30 and appointed a free conference committee to meet with a like committee from the House to confer on HB 30.

The President appointed the following members:

Senator Regan
Senator Jacobson
Senator Keating

The Senate, on 6/28/86, acceded to the request of the House and appointed a conference committee to meet with a like committee from the House to confer on Senate amendments to HB 45.

The President appointed the following members:

Senator Haffey
Senator Manning
Senator Gage

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 9 - Representative Harrington moved that the free conference committee report on SB 9 be adopted. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, Darko, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Grady, Hand, Hansen, Hanson, Harper, Harrington, Hart, Hayne, Howe, Jenkins, Keenan, Keller, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Peterson, Poff, Quilici, Rapp-Svrcek, Schultz, Schye, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Zabrocki, Mr. Speaker.
Total 62

Noes: Addy, D. Brown, Cobb, Cohen, Devlin, Ellerd, Gilbert, Glaser, Gould, Hannah, Harbin, Harp, Holliday, Iverson, Jones, Kitselman,

Krueger, Marks, J.K. Moore, Patterson, Pavlovich, Phillips, Pistoria, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Simon, Smith, Winslow.
Total 32

Excused: Bardanouve, Kadas, Keyser, Peck.
Total 4

Absent or not voting: Kennerly, Williams.
Total 2

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (82-13)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 9, free conference committee report, adopted as follows:

Ayes: Abrams, Asay, Bachini, Bradley, Brandewie, J. Brown, Campbell, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Grady, Hand, Hansen, Hanson, Harper, Harrington, Hart, Hayne, Howe, Jenkins, Keenan, Keller, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Poff, Quilici, Rapp-Svrcek, Schultz, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 66

Noes: Addy, D. Brown, Cobb, Cohen, Driscoll, Ellerd, Glaser, Gould, Hannah, Harbin, Harp, Holliday, Iverson, Jones, Kennerly, Krueger, Marks, J.K. Moore, Phillips, Pistoria, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schye, Simon, Smith, Winslow.
Total 30

Excused: Bardanouve, Kadas, Keyser, Peck.
Total 4

Absent or not voting: None.
Total 0

MOTIONS

Representative Harper moved that the House stand in recess until 2:00 p.m. Motion carried.

House recessed at 12:40 p.m.

House reconvened at 2:10 p.m.

Mr. Speaker in the Chair.

Representatives Bardanouve and Kadas present at this time.

Representatives Miles and Krueger excused at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/28/86
Correctly printed: HB 44, HB 49.
Correctly enrolled: HB 16, HB 31, HB 33.

JUDICIARY (Hannah, Chairman): 6/28/86

SB 22, third reading copy, be amended as follows:

1. Page 3, line 13.
Strike: "$500,000"
Insert: "$1 million"
Strike: "$1.5"
Insert: "$2"

And, as amended, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

Free conference committee report adopted: 6/28/86

SB 9, free conference committee report

SB 24, introduced by Keating, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, passed the Senate and is transmitted to the House with the following vote: 6/28/86

Senate

Yeas - 32
Nays - 18

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 24, introduced by Keating, Asay, Tveit. Referred to Committee on Taxation.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Miles present at this time.

HB 44 - Representative Keenan moved that HB 44 do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 92

Noes: Hannah, Sales, Sands, Switzer.

Total 4

Excused: Keyser, Krueger, Peck.
Total 3

Absent or not voting: J. Moore.
Total 1

SB 22 - Representative Ramirez moved that SB 22 be concurred in. Representative Spaeth made a substitute motion that SB 22, third reading copy, be amended as follows:

1. Instruction 1.
Strike: "$1 million"
Insert: "$750,000"
Strike: "$2"
Insert: "$1.5"

Amendment passed as follows:

Ayes: Abrams, Addy, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Menahan, Miller, Montayne, J. Moore, Neill, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Pistoria, Poff, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 74

Noes: Asay, Driscoll, Gould, Hansen, Harrington, Jones, Keenan, Marks, Mercer, Miles, Nelson, Phillips, Ramirez, Rapp-Svrcek, Simon, Smith.
Total 16

Excused: Keyser, Krueger, Peck.
Total 3

Absent or not voting: Bardanouve, Bradley, Cohen, Kadas, J.K. Moore, Nathe, Quilici.
Total 7

That SB 22, as amended, be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cody, Cohen, Compton, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 83

Noes: Bradley, Connelly, Hansen, Kadas, Keenan, Menahan, Phillips, Ream, Sands, Veleber.
Total 10

Excused: Keyser, Krueger, Peck.
Total 3

Absent or not voting: Bardanouve, Cobb, J.K. Moore, Quilici.
Total 4

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (90-4)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 44 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 89

Noes: Hannah, Hansen, Sales, Sands.
Total 4

Excused: Keyser, Krueger, Peck.
Total 3

Absent or not voting: Bardanouve, J.K. Moore, Nathe, Quilici.
Total 4

SB 22 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J. Moore, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 85

Noes: Bradley, Hansen, Kadas, Keenan, Menahan, Phillips, Sands, Veleber.
Total 8

Excused: Keyser, Krueger, Peck.
Total 3

Absent or not voting: Bardanouve, J.K. Moore, Nathe, Quilici.
Total 4

MOTIONS

Committee meetings were announced by committee chairmen.

Speaker Pro-tem Manuel in the Chair.

Speaker Vincent arose on a privilege of the House. He wanted to express his displeasure at the introduction of SB 24 into this House at this time. He gave a brief history of this measure that would quit putting coal severance tax monies in the coal severance trust fund, saying it was introduced in the Senate two days ago, was a measure totally outside of the call of this special session, and felt that a procedure that could consider such a significant piece of legislation in two short days impugned the integrity of the Legislature.

Representative Harper moved that the House stand in recess until 4:15 p.m. Motion carried.

House recessed at 3:00 p.m.

House reconvened at 4:35 p.m.

Mr. Speaker in the Chair.

Representative Krueger present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/28/86
Correctly enrolled: HB 47.

APPROPRIATIONS (Bardanouve, Chairman): 6/28/86
SJR 1, be concurred in. Report adopted.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 6/28/86

HB 35, introduced by Menahan

Senate bills passed and transmitted to the House for concurrence: 6/28/86

SB 13, introduced by Fuller

House amendments to Senate bill concurred in and returned to the House: 6/28/86

SB 19, introduced by Christiaens

The Senate, on 6/28/86, failed to concur in House amendments to SB 20 and appointed a conference committee, requesting that the House appoint a like committee to confer on House amendments to SB 20.

The President appointed the following members:

Senator Mazurek, Chairman
Senator Boylan
Senator McCallum

MOTIONS

Representative Harper moved that the Speaker be authorized to appoint a conference committee to meet with a like committee from the Senate to confer on House amendments to SB 20.

Representative Marks made a substitute motion that the Speaker be authorized to appoint a free conference committee to meet with a like committee from the Senate to confer on SB 20. Motion carried.

Representative J. Moore moved that HB 52 be taken from the table in the Committee on Taxation and placed on second reading this day. Motion carried. (49-43)

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 13, introduced by Fuller, (By Request of the Office of Budget and Program Planning). Referred to Committee on Appropriations.

UNFINISHED BUSINESS

The Speaker appointed the following free conference committee to meet with a like committee from the Senate on SB 20:

Representative Keenan
Representative Schye
Representative Swift
Representative Mercer

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SJR 1 - Representative Donaldson moved that SJR 1 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nisbet, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 93

Noes: None.
Total 0

Excused: Keyser, Peck.
Total 2

Absent or not voting: Asay, Nelson, O'Connell, Poff, Veleber.
Total 5

HB 52 - Representative J. Moore moved that HB 52 do pass. Representative Ellerd made a substitute motion that HB 52, second reading copy, be amended as follows:

1. House Committee on Taxation amendments, dated 6/28/86.
Strike: all amendments

2. Title, line 5.
Strike: "ALL"

3. Title, line 6.
Following: "REVENUE TO"
Strike: "STATE AID TO EDUCATION"
Insert: "THE STATE GENERAL FUND AND TO THE LONG-RANGE BUILDING FUND"

4. Page 2, line 15.
Following: "expense"
Strike: "and"
Insert: ". The remaining proceeds"

5. Page 2, line 16.
Following: "department"
Insert: "as follows:

(1) 50% of the proceeds"

6. Page 2, line 17.
Following: "fund"
Strike: "for" on line 17 through "schools" on line 18
Insert: "; and

(2) 50% of the proceeds to the general fund"

7. Page 3, line 21.
Following: "~~16-11-202.~~"
Insert: "The state also pledges and appropriates and directs to be credited as received to the debt service account 50% of all money received from the collection of the taxes on other tobacco products which are or may hereafter be levied, imposed, and assessed by law for that purpose, including the tax levied, imposed, and assessed by 16-11-202, and distributed as provided in 16-11-206(1)."

8. Page 5, line 4.
Following: "~~16-11-202.~~"
Insert: "The state also pledges and appropriates and directs to be credited as received to the debt service account 50% of all money received from the collection of the taxes on other tobacco products which are or may hereafter be levied, imposed, and assessed by law for that purpose, including the tax levied, imposed, and assessed by 16-11-202, and distributed as provided in 16-11-206(1)."

9. Page 5, line 12 through line 7, page 7.
Strike: section 4 in its entirety
Renumber: subsequent sections

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Miles, Montayne, J.K. Moore, J. Moore, Neill, Nelson, Nisbet, Pavlovich, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schye, Smith, Stang, Swift, Switzer, Thomas, Veleber, Wallin, Williams, Zabrocki.
Total 81

Noes: Campbell, Miller, O'Hara, Phillips, Schultz, Simon, Thoft.
Total 7

Excused: Jones, Keyser, Peck.
Total 3

Absent or not voting: Fritz, Harbin, Mercer, Nathe, O'Connell, Patterson, Spaeth, Winslow, Mr. Speaker.
Total 9

That HB 52, as amended, do pass. Motion failed. (45-50)

Representative Harper moved that HB 52, as amended, do not pass. Motion carried as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Compton, Devlin, Donaldson, Ellison, Ernst, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Kitselman, McCormick, Manuel, Marks, Menahan, Mercer, Montayne, J.K. Moore, Nathe, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Ramirez, Rehberg, Schultz, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Winslow, Zabrocki.
Total 52

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Driscoll, Ellerd, Eudaily, Fritz, Garcia, Hand, Hansen, Harper, Howe, Kadas, Keenan, Koehnke, Krueger, Lory, Miles, Miller, J. Moore, Neill, Nelson, Nisbet, O'Hara, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schye, Spaeth, Veleber, Wallin, Williams, Mr. Speaker.
Total 45

Paired: Jones, Aye; Rapp-Svrcek, No.

Excused: Keyser, Peck.
Total 2

Absent or not voting: O'Connell.
Total 1

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (88-6)

Representative O'Connell present at this time.

Representatives Rehberg and Harp excused at this time.

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SJR 1 concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Kadas, Keenan, Keller, Kennerly, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson,

Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schultz, Schye, Simon, Smith, Spaeth, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 94

Noes: None.
Total 0

Excused: Harp, Jones, Keyser, Peck, Rehberg.
Total 5

Absent or not voting: Bardanouve.
Total 1

REPORTS OF STANDING COMMITTEES

TAXATION (Devlin, Chairman): 6/28/86

SB 24, referred to the committee of the whole without recommendation. Report adopted.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on House Bill No. 30
Report No. 1, June 28, 1986

Mr. Speaker:

We, your Free Conference Committee on House Bill No. 30, met and considered:

House Bill No. 30

We recommend as follows:

That House Bill No. 30, pink copy, be amended as follows:

1. Page 25, line 10.
Following: "RECOVERY"
Insert: ", provided the Department shall hold timely public hearings prior to closing any state store or agency and prior to implementing a price restructuring"

2. Page 25.
Following: line 15
Insert: "The Department may, through the use of program transfer authority, fund the 7 FTE deleted from the Income Tax Division by House Committee of the Whole Amendment during Special Session III."

3. Page 55.
Following: line 21
Insert: "If HB 45 of Special Session III passes, the fiscal year 1987 general fund appropriation in item 1 is reduced to zero and $1,637,319 of State Special Revenue is appropriated."

4. Page 78.
Following: line 15
Insert: "If HB 36 of Special Session III is approved, the Montana Youth Treatment Center's fiscal year 1987 General Fund appropriation is reduced by $1,259,537 based on a projected sale of the Center on December 1, 1986. Should the sale not occur, or if the sale is delayed beyond December 1, 1986, the Department is authorized to

request a supplemental to continue the Center's operation. Contained within the reduced appropriation is $33,000 to cover expenses directly related to the sale of the Center as required by HB 36, including employee relocation, advertising, and review committee expenses. Any remaining balance not expended on such expenses shall revert to the General Fund."

5. Page 100, line 7.
Following: "~~PAYMENTS.~~"
Insert: "The Commissioner of Higher Education shall notify students applying for WICHE, WAMI, and Minnesota Rural Dentistry programs for fiscal year 1988 that the 1987 Legislature may enact a requirement that will require entering students to pay back a percentage of their support fees to the state."

Amend Senate Committee of the Whole amendment, dated 6/25/86, 2:55 p.m., sponsored by Hammond, as follows:

Strike: the amendment in its entirety

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Regan, Chairman	Bardanouve
Jacobson	Quilici
Keating	J.K. Moore
	Nathe

Conference Committee
on House Bill No. 45
Report No. 1, June 28, 1986

Mr. Speaker:

We, your Conference Committee on House Bill No. 45 met and considered:

Senate amendments to House Bill No. 45

We recommend as follows:

That House Bill No. 45, reference copy, be amended as follows:

Strike: Senate State Administration Committee amendments, 6/27/86, in their entirety.

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Haffey, Chairman	Quilici
Manning	Raney
Gage	Gilbert
	Switzer

MOTIONS

Representative Harper moved that the House stand in recess until 6:20 p.m. Motion carried.

House recessed at 5:55 p.m.

House reconvened at 7:00 p.m.

Mr. Speaker in the Chair.

REPORTS OF SELECT COMMITTEES

Conference Committee
on Senate Bill No. 14
Report No. 1, June 28, 1986

Mr. Speaker:

We, your Conference Committee on Senate Bill No. 14 met and considered:

Senate Bill No. 14

We recommend as follows:

That Senate Bill No. 14, third reading copy, be amended as follows:

Strike: all House amendments, dated 6/27/86

1. Title, line 11.
Following: "BY"
Strike: "5"
Insert: "4"

2. Page 2, line 9.
Following: "~~15~~"
Strike: "20"
Insert: "19"

And that this Conference Committee report be adopted.

For the Senate:	For the House:
Neuman, Chairman	Bardanouve
	Harper
McCallum	
	Harp

MESSAGES FROM THE OTHER HOUSE

Conference committee reports adopted: 6/28/86

HB 45, conference committee report

HB 30, free conference committee report

The Senate, on 6/28/86, dissolved the conference committee on House amendments to SB 20 and appointed a free conference committee to meet with a like committee from the House to confer on SB 20.

The President appointed the following members:

Senator Mazurek, Chairman
Senator Boylan
Senator McCallum

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Iverson in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 24 - Representative Asay moved that SB 24 be concurred in. Motion carried as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, McCormick, Manuel, Marks, Menahan, Miller, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thomas, Wallin, Winslow.
Total 52

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Eudaily, Fritz, Gould, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, Miles, J. Moore, Nisbet, O'Connell, Peck, Pistoria, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Stang, Thoft, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 43

Paired: Ellerd, Hannah, Menahan, Quilici, Swift, Ayes; Addy, Keenan, Peck, Rapp-Svrcek, Schye, Noes.

Excused: Keyser, Mercer.
Total 2

Absent or not voting: Donaldson, Driscoll, Montayne.
Total 3

SB 14 - Representative Harp moved that the conference committee report on SB 14 be adopted. Motion failed. (37-62)

Representative Harper moved that the conference committee report on SB 14 be rejected. Motion carried as follows:

Ayes: Abrams, Asay, Bachini, D. Brown, Campbell, Cobb, Cody, Cohen, Compton, Ellerd, Ernst, Eudaily, Garcia, Glaser, Gould, Hannah, Hansen, Hanson, Hayne, Howe, Iverson, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Menahan, Miller, Montayne, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Phillips, Pistoria, Poff, Raney, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Stang, Swift, Switzer, Thoft, Veleber, Wallin, Zabrocki, Mr. Speaker.
Total 61

Noes: Addy, Bardanouve, Bradley, Brandewie, J. Brown, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Fritz, Gilbert, Grady, Hand, Harbin, Harp, Harper, Harrington, Hart, Holliday, Jenkins, Kadas, Krueger, Manuel, Marks, Mercer, Miles, J.K. Moore, Peterson, Quilici, Ramirez, Rapp-Svrcek, Smith, Spaeth, Thomas, Williams, Winslow.
Total 38

Paired: Ellerd, Jones, Keenan, Keyser, Schye, Ayes; Brandewie, Devlin, Harper, Ramirez, Thomas, Noes.

Excused: Peck.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the

Chair. Chairman Iverson moved the adoption of the committee report. Report adopted. (67-30)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

SB 24 concurred in as follows:

Ayes: Asay, Brandewie, D. Brown, Campbell, Cobb, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Garcia, Gilbert, Glaser, Grady, Hand, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Kitselman, McCormick, Manuel, Marks, Menahan, Miller, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thomas, Wallin, Winslow.
Total 54

Noes: Abrams, Addy, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Connelly, Darko, Eudaily, Fritz, Gould, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, Mercer, Miles, J. Moore, Nisbet, O'Connell, Pistoria, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Stang, Thoft, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 43

Paired: Jones, Aye; Harbin, No.

Excused: Keyser, Peck.
Total 2

Absent or not voting: Montayne.
Total 1

MESSAGES FROM THE OTHER HOUSE

House bill concurred in and returned to the House: 6/28/86

HB 46, introduced by Winslow

MOTIONS

Representative Winslow moved that the House reconsider its action in failing to pass HB 52, the "snoose bill", on second reading this day, and that the bill be placed back on second reading on Monday. Motion carried. (67-28)

Representative Hannah explained that in voting Representative Jones' pairs, he mistakenly voted him no on HB 24. Therefore, Representative Hannah moved that he be allowed to withdraw the pair, and show Representative Jones as voting yes. Motion carried.

Representative Raney moved that he be allowed to change his vote from no to yes on SB 19, third reading today. Motion carried.

Representative J. Moore moved that she be allowed to record a yes vote on SB 19, third reading today. Motion carried.

Representative Harper moved that the House adjourn until 9:00 a.m., June 30, 1986.

Motion carried.

House adjourned at 8:22 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

THIRTEENTH LEGISLATIVE DAY

Helena, Montana
June 30, 1986

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Pledge of Allegiance to the Flag.

Roll call. All members present except Hannah, J. Moore, Spaeth, excused. Quorum present.

Mr. Speaker: We, your Committee on Legislative Administration/Bills and Journal, having examined the daily journal for the eleventh legislative day, find the same to be correct.

Menahan, Chairman

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/30/86
Correctly enrolled: HB 7, HB 10, HB 11, HB 39, HB 40, HJR 3.
Signed by the Speaker at 8:00 a.m., 6/30/86: HB 2, HB 16, HB 22, HB 23, HB 24, HB 25, HB 26, HB 31, HB 33, HB 47.
Delivered to the Governor for his approval at 11:55 a.m., 6/30/86: HB 2, HB 16, HB 22, HB 23, HB 24, HB 25, HB 26, HB 31, HB 33, HB 47.

APPROPRIATIONS (Bardanouve, Chairman): 6/30/86
SB 13, third reading copy, be amended as follows:

1. Title, line 10.
Strike: 1st "$_2$"
Insert: "AND"

2. Title, lines 10 and 11.
Strike: "$_2$" on line 10 through "DATE" on line 11

3. Page 4, line 19.
Strike: "1989"
Insert: "1987"

4. Page 6, line 4.
Strike: "FROM"
Insert: "after"
Following: "1986"
Strike: "$_2$" through "1987" on line 5

And, as amended, be concurred in. Report adopted.

Adverse Committee Report
HB 12, do not pass.

MOTIONS

Representative J.K. Moore moved that HB 12 be taken from the House calendar and placed on second reading. Motion carried. (58-37)

Representatives J. Moore and Hannah present at this time.

COMMUNICATIONS AND PETITIONS

SECRETARY OF STATE
STATE OF MONTANA

UNITED STATES OF AMERICA)
) ss
State of Montana)

I, JIM WALTERMIRE, Secretary of State of the State of Montana do hereby certify that the attached petition constitutes the signatures of 76 of the 150 members of the 49th Legislature of the State of Montana meeting the requirements of Section 5-3-102, Montana Code Annotated and thus calling into Special Session the 49th Legislature to meet at the time and place specified herein.

I further certify that this original petition was filed in my office on this 30th day of June, 1986 and a copy hereof forwarded to the Honorable Ted Schwinden, Governor of the State of Montana, the Honorable Bill Norman, President of the Montana Senate and the Honorable John Vincent, Speaker of the House of Representatives.

IN WITNESS WHEREOF, I have hereunto
set my hand and affixed the Great Seal
of the State of Montana,
at Helena, the Capital,
this 30th day of June, 1986.

JIM WALTERMIRE
Secretary of State

PETITION OF THE FORTY-NINTH LEGISLATURE
FOR A CALL OF SPECIAL SESSION

WHEREAS, the State of Montana currently has a budget crisis; and

WHEREAS, the call for a special session issued by the Governor limits the revenues to be raised by the special session beginning June 16, 1986; and

WHEREAS, the current $1,500 state license fee on electronic poker machines is difficult for small bars in sparsely populated areas to pay and people in those areas are thus often denied access to electronic poker machines; and

WHEREAS, taxation of poker machine proceeds can help solve the budget crisis without unduly lowering profits of machine owners and licensed establishments; and

WHEREAS, such a tax would be in line with a permanent, rather than temporary, approach to balanced budgets; and

WHEREAS, Article V, section 6, of the Constitution of the State of Montana and section 5-3-101, MCA, provide that the Legislature may be convened in special session at the request of a majority of the members.

NOW, THEREFORE, WE THE UNDERSIGNED, being a majority of the members of the Forty-ninth Legislature, pursuant to Article V, section 6, of the Montana Constitution, and section 5-3-101, MCA, hereby convene the Forty-ninth Legislature into special session in Helena at the Capitol, such special session to run concurrently with the special session beginning June 16, 1986, called by the Governor.

The special session hereby convened shall consider legislation to levy a percentage net income (gross receipts less cash payouts) tax on the gross receipts of electronic poker machines in lieu of the $1,500 state license fee.

Members of the 49th Legislature:

Towe	Halligan
Mohar	Conover
Weeding	Lane

B. Williams
Hirsch
Blaylock
Pinsoneault
Ellerd
Thoft
O'Hara
Wallin
Peck
Brandewie
Eudaily
Lory
Thomas
Peterson
Ellison
Marks
Devlin
Gilbert
Miller
Nelson
Tveit
Neill
Keller
Thayer
Hansen
Veleber
Koehnke
Hand
Stang
C. Smith
Cody
Keating
Keenan
Schye
Harbin
Yellowtail
Christiaens
Lybeck
Donaldson
Harper
Compton
Schultz
Mercer
Kitselman
Asay
Sands
Ernst
Hayne
Simon
Ramirez
Hanson
Winslow
Grady
Rehberg
Nathe
Cobb
Sales
Switzer
Connelly
Ream
Kadas
J. Brown
Patterson
Harp
Story
J. Moore
Eck
Addy
Poff

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keenan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 45 - Representative Quilici moved that the conference committee report on HB 45 be adopted. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Krueger, Lory, Manuel, Mercer, Miles, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 73

Noes: Brandewie, Campbell, Cobb, Driscoll, Ellerd, Ellison, Grady, Kadas, Kennerly, Keyser, McCormick, Marks, Miller, Neill, O'Connell, Phillips, Pistoria, Poff, Raney, Sales, Thoft, Thomas, Zabrocki.
Total 23

Excused: Garcia, Spaeth.
Total 2

Absent or not voting: Asay, Menahan.
Total 2

HB 46 - Representative Winslow moved that Senate amendments to HB 46 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Harp.
Total 1

Excused: Garcia, Spaeth.
Total 2

Absent or not voting: Asay, Poff.
Total 2

SB 13 - Representative Donaldson moved that SB 13, as amended in committee, be concurred in. Motion carried as follows:

Ayes: Abrams, Bardanouve, J. Brown, Campbell, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Gilbert, Glaser, Gould, Hand, Hannah, Hanson, Harp, Harper, Hart, Hayne, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Miles, J.K. Moore, Nathe, Nelson, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Wallin, Williams, Winslow.
Total 56

Noes: Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, Cobb, Cody, Cohen, Connelly, Darko, Eudaily, Fritz, Garcia, Grady, Hansen, Harbin, Harrington, Howe, Kadas, Keenan, Krueger, Mercer, Miller, Montayne, J. Moore, Neill, Nisbet, O'Connell, O'Hara, Peck, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Stang, Thomas, Veleber, Zabrocki, Mr. Speaker.
Total 41

Excused: Spaeth.
Total 1

Absent or not voting: Kitselman, Pavlovich.
Total 2

Representative Donaldson excused at this time.

HB 52 - Representative J. Moore moved that HB 52 do pass. Motion failed. (45-54)

Representative Harper moved that HB 52 do not pass. Motion carried as follows:

Ayes: Abrams, Brandewie, D. Brown, Campbell, Cobb, Devlin, Donaldson, Driscoll, Ellison, Ernst, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hanson, Harp, Harrington, Hart, Holliday, Iverson, Jenkins, Jones, Keller, Kennerly, Keyser, McCormick, Manuel, Marks, Menahan, Mercer, Montayne, J.K. Moore, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Rehberg, Schultz, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Wallin, Zabrocki.
Total 54

Noes: Addy, Asay, Bachini, Bardanouve, Bradley, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Ellerd, Eudaily, Fritz, Hannah, Hansen, Harbin, Harper, Hayne, Howe, Kadas, Keenan, Kitselman, Koehnke, Krueger, Lory, Miles, Miller, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Hara, Peck, Raney, Rapp-Svrcek, Ream, Sales, Sands, Schye, Veleber, Williams, Winslow, Mr. Speaker.
Total 45

Paired: Donaldson, Aye; Ellerd, No.

Excused: Spaeth.
Total 1

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keenan moved the adoption of the committee report. Report adopted. (83-15)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

HB 45, conference committee report, adopted as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Gould, Hand, Hannah, Hansen, Hanson, Harbin, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kitselman, Koehnke, Krueger, Lory, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Nelson, Nisbet, O'Hara, Patterson, Pavlovich, Peck, Peterson, Quilici, Ramirez, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Stang, Switzer, Thomas, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 77

Noes: Brandewie, Campbell, Cobb, Glaser, Grady, Kadas, Keyser, McCormick, Marks, Neill, O'Connell, Phillips, Pistoria, Poff, Raney, Sales, Swift, Thoft, Zabrocki.
Total 19

Excused: Donaldson, Spaeth.
Total 2

Absent or not voting: Harp, Kennerly.

Total 2

HB 46, Senate amendments, concurred in as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 95

Noes: Garcia.
Total 1

Excused: Donaldson, Spaeth.
Total 2

Absent or not voting: Menahan, Poff.
Total 2

MOTIONS

Representative Asay moved that consideration of SB 13, third reading, be temporarily postponed. Motion carried. (58-39)

Representative Harper moved that the House stand in recess until 11:45 a.m. Motion carried.

House recessed at 10:05 a.m.

House reconvened at 11:30 a.m.

Mr. Speaker in the Chair.

Representative Menahan moved that HB 35 be taken from enrolling and placed on second reading for amendment to correct an error in the title. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keenan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 30 - Representative Asay moved that the free conference committee report no. 1 on HB 30 be rejected. Motion carried as follows:

Ayes: Abrams, Asay, D. Brown, Campbell, Compton, Devlin, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Hannah, Hanson, Harrington, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Keyser, Kitselman, Lory, Miles, Montayne, Nelson, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Rehberg, Sands, Schultz, Schye, Simon, Smith, Thomas, Wallin, Winslow, Zabrocki.

Total 50

Noes: Addy, Bachini, Bradley, Brandewie, J. Brown, Cobb, Cody, Cohen, Connelly, Darko, Ellerd, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Harbin, Harp, Harper, Hart, Kadas, Kennerly, Koehnke, Krueger, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J.K. Moore, J. Moore, Nathe, Neill, Nisbet, Peck, Pistoria, Ramirez, Sales, Stang, Swift, Switzer, Thoft, Veleber, Mr. Speaker.
Total 46

Excused: Donaldson, Spaeth.
Total 2

Absent or not voting: Bardanouve, Williams.
Total 2

HB 35 - Representative Menahan moved that HB 35, third reading copy, be amended as follows:

1. Title, line 12.
Strike: "FOUR"
Insert: "THREE"

Amendment passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Donaldson, Spaeth.
Total 2

Absent or not voting: None.
Total 0

Representative Menahan moved that HB 35, as amended, do pass. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.

Total 98

Noes: None.
Total 0

Excused: Donaldson, Spaeth.
Total 2

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keenan moved the adoption of the committee report. Report adopted. (93-3)

THIRD READING OF BILLS

The following bill having been read three several times, title and history agreed to, was disposed of in the following manner:

HB 35 passed as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Compton, Connelly, Darko, Devlin, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 98

Noes: None.
Total 0

Excused: Donaldson, Spaeth.
Total 2

Absent or not voting: None.
Total 0

MOTIONS

Representative Harper moved that the House stand in recess until 1:30 p.m. Motion carried.

House recessed at 11:55 a.m.

House reconvened at 2:05 p.m.

Mr. Speaker in the Chair.

Representative Donaldson present at this time.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/30/86
Correctly enrolled: HB 21, HB 32, HB 36, HB 37, HB 38, HB 45, HB 46, HB 48.
Signed by the Speaker at 3:30 p.m., 6/30/86: HB 39.

Delivered to the Governor for his approval at 5:47 p.m., 6/30/86: HB 39.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 20
Report No. 2, June 30, 1986

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 20 met and considered:

Senate Bill No. 20,
House Taxation Committee amendments, dated 6/28/86,
Committee of the Whole amendments, dated 6/28/86:
Mercer, 7:45 a.m.
Swift, 7:58 a.m.
Cobb, 8:00 a.m.

We recommend as follows:

That Senate Bill No. 20, reference copy, be amended as follows:

1. Title, line 13.
Following: "LAWS"
Insert: "TO ESTABLISH A NEW CLASS EIGHTEEN PROPERTY FOR REAL PROPERTY CONTAINING LESS THAN 20 ACRES AND THAT IS RENDERED NONPRODUCTIVE BY LAND USE LAWS;"

2. Title, line 17.
Strike: "15-6-134"
Insert: "15-6-144"

3. Page 6, line 17 through line 3, page 11.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 13, line 5.
Strike: "or noncontiguous"

5. Page 14.
Following: line 21
Insert: "Section 2. Section 15-6-144, MCA, is amended to read:

"15-6-144. Class fourteen property — description — taxable percentage. (1) Class fourteen property includes all improvements on ~~agricultural~~ land that is eligible for valuation, assessment, and taxation as agricultural land under~~, as defined in~~ 15-7-202(2). Class fourteen property includes 1 acre of real property beneath the agricultural improvements. The 1 acre shall be valued at market value.

(2) Class fourteen property is taxed at 80% of the taxable percentage applicable to class four property.""
Renumber: subsequent sections

6. Page 17, lines 8 and 24.
Strike: "SECTION 3"
Insert: "Sections 1 and 2"

7. Page 19, line 15.
Following: "APPRAISAL"

Insert: ", whichever is later"

8. Page 19.
Following: line 15
Insert: "NEW SECTION. Section 8. Land valued in excess of average county land value — renotification to taxpayer. For persons paying taxes on real property containing more than 5 acres but less than 20 acres, the department of revenue shall notify each taxpayer whose land value for 1986 due to reclassification to class four by application of 15-7-202 exceeds the average value per acre for such land in the taxpayer's county. The new notice must fully inform the taxpayer as to the reasons for the new notice, including the cause of the increase in value, the right to appeal to the county tax appeal board, and the extension of time for appeal."
Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Mazurek, Chairman	Schye
McCallum	Mercer
Boylan	Keenan
	Swift

MOTIONS

Representative Asay moved that the House reconsider its action in failing to adopt the free conference committee report on HB 30 and that it be placed back on second reading this day. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keenan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 30 - Representative Bardanouve moved that the free conference committee report on HB 30 be adopted. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Gould, Grady, Hand, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Holliday, Howe, Kadas, Keenan, Keller, Kennerly, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, J.K. Moore, J. Moore, Nathe, Neill, Nisbet, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Smith, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 70

Noes: Asay, D. Brown, Campbell, Cobb, Devlin, Garcia, Gilbert, Glaser, Hannah, Hansen, Iverson, Jenkins, Jones, Keyser, Kitselman, Koehnke, Nelson, O'Connell, O'Hara, Patterson, Peck, Peterson, Rehberg, Sands, Schultz, Simon, Switzer.
Total 27

Excused: Spaeth.
Total 1

Absent or not voting: Montayne, Ramirez.
Total 2

SB 20 - Representative Swift moved that the free conference committee report no. 2 on SB 20 be adopted. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Asay, Campbell, Cobb, Gilbert, Hansen, Holliday, Koehnke, Peck, Poff, Switzer.
Total 10

Excused: Spaeth.
Total 1

Absent or not voting: Marks.
Total 1

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keenan moved the adoption of the committee report. Report adopted. (91-7)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 13 concurred in as follows:

Ayes: Abrams, Addy, Bardanouve, J. Brown, Campbell, Compton, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Harbin, Harper, Hart, Hayne, Holliday, Iverson, Jones, Keller, Kennerly, Keyser, Kitselman, Koehnke, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, O'Hara, Patterson, Peterson, Phillips, Pistoria, Poff, Ramirez, Raney, Ream, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Williams, Winslow.
Total 64

Noes: Asay, Bachini, Bradley, Brandewie, D. Brown, Cobb, Cody, Cohen, Connelly, Darko, Fritz, Garcia, Hansen, Hanson, Harp, Harrington, Howe, Jenkins, Kadas, Keenan, Krueger, Miller, J. Moore, Neill, Nisbet, O'Connell, Pavlovich, Peck, Quilici, Rapp-Svrcek, Schye, Stang, Veleber, Zabrocki, Mr. Speaker.
Total 35

Excused: Spaeth.
Total 1

Absent or not voting: None.
Total 0

HB 30, free conference committee report, adopted as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, J. Brown, Campbell, Cody, Cohen, Compton, Connelly, Darko, Donaldson, Driscoll, Ellerd, Ernst, Eudaily, Fritz, Gilbert, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harper, Hart, Hayne, Holliday, Howe, Jones, Kadas, Keenan, Keller, Kennerly, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Pavlovich, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schye, Smith, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 77

Noes: Asay, D. Brown, Cobb, Devlin, Garcia, Glaser, Hannah, Harrington, Iverson, Jenkins, Keyser, Koehnke, Patterson, Peck, Peterson, Ramirez, Rehberg, Sands, Schultz, Simon, Switzer.
Total 21

Excused: Spaeth.
Total 1

Absent or not voting: Ellison.
Total 1

SB 20, free conference committee report, adopted as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hannah, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, J. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 88

Noes: Asay, Campbell, Cobb, Gilbert, Hansen, Holliday, Koehnke, Peck, Poff, Switzer, Zabrocki.
Total 11

Excused: Spaeth.
Total 1

Absent or not voting: None.
Total 0

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keenan in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

Representative Ream excused at this time.

HB 12 - Representative Bardanouve moved that consideration of HB 12 be temporarily postponed. Representative Harper made a substitute motion that the committee rise and report and beg leave to sit again. Motion carried.

MOTIONS

Representative Schye moved that he be allowed to change his vote from yes to no on SB 13, third reading today. Motion carried.

Representative Harper moved that the House stand in recess until 3:15 p.m. Motion carried.

House recessed at 2:50 p.m.

House reconvened at 3:30 p.m.

Mr. Speaker in the Chair.

Representative Quilici moved that the House stand in recess until 4:30 p.m. today. Motion carried.

House recessed at 3:31 p.m.

House reconvened at 4:30 p.m.

Mr. Speaker in the Chair.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

June 30, 1986

Dear Speaker Vincent:

This is to inform you that I signed House Bills No. 2, 15, 16, 23, and 31 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

June 30, 1986

Dear Speaker Vincent:

This is to inform you that I signed House Bills No. 3 and 33 at 5:18 p.m. on this date.

Sincerely,

Ted Schwinden
Governor

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following House bill was introduced, read first time, and referred to committee:

HB 53, introduced by Ellerd, Towe. Referred to Committee on Taxation.

MOTIONS

The Speaker announced a joint meeting of the Senate and House leadership in room 104 to discuss the situation the Legislature finds itself in.

Representative Harper moved that the House stand in recess subject to the call of the Chair. Motion carried.

House recessed at 4:35 p.m.

House reconvened at 5:30 p.m.

Mr. Speaker in the Chair.

Representative Harper moved that the House stand in recess to allow the parties to caucus until 6:00 p.m. Motion carried.

House recessed at 5:35 p.m.

House reconvened at 6:30 p.m.

Mr. Speaker in the Chair.

Representative Harper moved that the House adjourn until 9:00 a.m., July 1, 1986.

Motion carried.

House adjourned at 6:35 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

FOURTEENTH LEGISLATIVE DAY

Helena, Montana
July 1, 1986

House Chambers
State Capitol

House convened at 9:00 a.m., Mr. Speaker in the Chair. Invocation by Speaker Vincent. Pledge of Allegiance to the Flag.

Roll call. All members present except Driscoll, Pavlovich, Spaeth, Committee on Taxation, excused. Quorum present.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 6/30/86

Correctly enrolled: HB 30.

Signed by the Speaker at 11:10 a.m., 6/30/86: HB 7, HB 10, HB 11, HB 30, HB 32, HB 36, HB 37, HB 38, HB 40, HB 45, HB 46, HB 48, HJR 3.

Delivered to the Governor for his approval at 11:15 p.m., 6/30/86: HB 30.

Delivered to the Governor for his approval at 11:02 a.m., 7/1/86: HB 7, HB 10, HB 11, HB 32, HB 36, HB 37, HB 38, HB 40, HB 45, HB 46, HB 48.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

June 30, 1986

Dear Speaker Vincent:

This is to inform you that I signed House Bills No. 30 and 39 at 11:40 p.m. on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

July 1, 1986

Dear Speaker Vincent:

This is to inform you that I signed House Bill No. 6 at 8:15 a.m. on this date.

Sincerely,

Ted Schwinden
Governor

MOTIONS

Representative J. Moore moved that the free conference committee on SB 14 be instructed to negotiate the position that there should be no gas tax. Motion failed.

Representative Harper moved that the House stand in recess until 11:00 a.m. Motion carried.

House recessed at 9:10 a.m.

House reconvened at 11:00 a.m.

Mr. Speaker in the Chair.

Representatives Driscoll, Pavlovich, Spaeth, and the Committee on Taxation present at this time.

Representative J. Moore excused at this time.

MESSAGES FROM THE OTHER HOUSE

SB 22, House amendments, requiring adoption by an affirmative roll call vote of two-thirds of all the members of the Legislature, concurred in by the Senate and has passed the Legislature with the following votes: 6/30/86

Senate	House of Representatives
Yeas - 45	Yeas - 85
Nays - 5	Nays - 8

MOTIONS

Representative Ellerd moved that HB 53 be taken from the table in the Committee on Taxation and placed on second reading. Motion failed. (48-50)

Representative Harper moved that the House stand in recess until 11:45 a.m. Motion carried.

House recessed at 11:15 a.m.

House reconvened at 12:22 p.m.

Mr. Speaker in the Chair.

Representative J. Brown excused at this time.

MESSAGES FROM THE OTHER HOUSE

House bills concurred in and returned to the House: 7/1/86

HB 35, introduced by Menahan

HB 44, introduced by Keenan

Free conference committee report adopted: 7/1/86

SB 20, free conference committee report no. 2

House amendments to Senate bills concurred in: 7/1/86

SB 13, introduced by Fuller

MOTIONS

Representative Winslow moved that HB 53 be taken from the table in the Committee on Taxation and placed on second reading this day. Motion carried. (61-38)

Representative Harper moved that the House stand in recess until 2:30 p.m. Motion carried.

House recessed at 1:03 p.m.

House reconvened at 2:40 p.m.

Mr. Speaker in the Chair.

Representative Addy moved that the House reconsider its action on the 13th legislative day in adopting the free conference committee report on SB 20, and that it be placed on second reading this day. Motion carried.

REPORTS OF SELECT COMMITTEES

Free Conference Committee
on Senate Bill No. 20
Report No. 3, July 1, 1986

Mr. Speaker:

We, your Free Conference Committee on Senate Bill No. 20 met and considered:

Senate Bill No. 20,
House Taxation Committee amendments, dated 6/28/86,
Committee of the Whole amendments, dated 6/28/86:
Mercer, 7:45 a.m.
Swift, 7:58 a.m.
Cobb, 8:00 a.m.

We recommend as follows:

That Senate Bill No. 20, reference copy, be amended as follows:

1. Title, line 13.
Following: "LAWS"
Insert: "TO ESTABLISH A NEW CLASS EIGHTEEN PROPERTY FOR REAL PROPERTY CONTAINING LESS THAN 20 ACRES AND THAT IS RENDERED NONPRODUCTIVE BY LAND USE LAWS;"

2. Title, line 17.
Strike: "15-6-134"
Insert: "15-6-144"

3. Page 6, line 17 through line 3, page 11.
Strike: section 1 in its entirety
Renumber: subsequent sections

4. Page 13, line 5.
Strike: "or noncontiguous"

5. Page 13, line 17.
Strike: "$1,000"
Insert: "$1,500"

6. Page 14.
Following: line 21
Insert: "Section 2. Section 15-6-144, MCA, is amended to read:

"15-6-144. Class fourteen property — description — taxable percentage. (1) Class fourteen property includes all improvements on ~~agricultural~~ land that is eligible for valuation, assessment, and taxation as agricultural land under~~,~~ ~~as defined in~~ 15-7-202(2). Class fourteen property includes 1 acre of real property beneath the agricultural improvements. The 1 acre shall be valued at market value.

(2) Class fourteen property is taxed at 80% of the taxable percentage applicable to class four property.""
Renumber: subsequent sections

7. Page 17, lines 8 and 24.
Strike: "SECTION 3"
Insert: "Sections 1 and 2"

8. Page 19, line 15.
Following: "APPRAISAL"
Insert: ", whichever is later"

9. Page 19.
Following: line 15
Insert: "NEW SECTION. Section 8. Land valued in excess of average county land value — renotification to taxpayer. For persons paying taxes on real property containing more than 5 acres but less than 20 acres, the department of revenue shall notify each taxpayer whose land value for 1986 due to reclassification to class four by application of 15-7-202 exceeds the average value per acre for such land in the taxpayer's county. The new notice must fully inform the taxpayer as to the reasons for the new notice, including the cause of the increase in value, the right to appeal to the county tax appeal board, and the extension of time for appeal."
Renumber: subsequent sections

And that this Free Conference Committee report be adopted.

For the Senate:	For the House:
Mazurek, Chairman	Schye
McCallum	Mercer
Boylan	Keenan
	Swift

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keyser in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 20 - Representative Swift moved that the free conference committee report no. 3 on SB 20 be adopted. Motion carried as follows:

Ayes: Abrams, Addy, Asay, Bachini, Bradley, Brandewie, D. Brown, Cody, Cohen, Compton, Connelly, Darko, Devlin, Donaldson, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Mercer, Miles, Montayne, J.K. Moore, Nathe, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Pistoria, Poff, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 85

Noes: Campbell, Cobb, Driscoll, Holliday, Keenan, Menahan, Miller, Neill, Phillips, Quilici, Spaeth.
Total 11

Excused: J. Brown, J. Moore.
Total 2

Absent or not voting: Bardanouve, Ellerd.
Total 2

HB 53 - Representative Ellerd moved that a statement of intent be attached to HB 53. After discussion, Representative Ellerd withdrew the statement of intent.

Representative Ellerd moved that HB 53, introduced bill, be amended. After discussion, Representative Ellerd withdrew the amendment.

Representative Cody moved that HB 53, introduced bill, be amended. When error was found, Representative Cody withdrew the amendment.

Representative Asay moved that HB 53, introduced bill, be amended. Representative Asay withdrew the amendment.

Representative Pavlovich moved that HB 53, introduced bill, be amended as follows:

1. Title, line 6.
Following: "PER MACHINE;"
Insert: "REDUCING THE LOCAL LICENSE FEE TO NOT MORE THAN $50;"

2. Page 1, line 9.
Strike: "AND"
Following: "23-5-612,"
Insert: "AND 23-5-615,"

3. Page 4.
Following: line 25
Insert: "Section 4. Section 23-5-615, MCA, is amended to read:

"23-5-615. Licensing by local governing bodies. (1) Any city, town, or county governing body may issue to a person who meets the qualifications of 23-5-611 a license for each video draw poker machine to be used on the premises of a licensed establishment. A machine may be licensed by a city or town if located in the city or town or by the county if the machine is not located in a city or town.

(2) In addition to the license fee paid under 23-5-612, a governing body may charge an annual license fee for each license issued under this section. The license expires on June 30 of each year, and the fee must be prorated.

(3) Such license fee may not exceed ~~$1,000~~ $50.""
Renumber: subsequent sections

4. Page 6, line 23.
Strike: "5"
Insert: "6"

5. Page 9, line 25.
Page 10, line 2.
Strike: "5"
Insert: "6"

Representative Ellerd made a substitute motion that the amendment do not pass. Motion ruled out of order.

Representative Addy excused at this time.

Amendment passed as follows:

Ayes: Asay, Bachini, Bradley, Brandewie, D. Brown, Campbell, Cody, Darko, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hanson, Harbin, Harp, Harrington, Hart, Holliday, Howe, Iverson, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Montayne, J.K. Moore, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Rapp-Svrcek, Sales, Schye, Smith, Stang, Swift, Thomas, Mr. Speaker.
Total 63

Noes: Abrams, Addy, Bardanouve, Cobb, Cohen, Compton, Connelly, Devlin, Ellerd, Ernst, Hannah, Hansen, Harper, Hayne, Jenkins, Miles, Miller, Nathe, Neill, O'Hara, Ramirez, Raney, Ream, Rehberg, Sands, Schultz, Simon, Spaeth, Switzer, Thoft, Veleber, Wallin, Williams, Winslow, Zabrocki.
Total 35

Paired: Menahan, Aye; Addy, No.

Excused: J. Brown, J. Moore.
Total 2

Absent or not voting: None.
Total 0

Representative Cody moved that HB 53, introduced bill, be further amended as follows:

1. Page 7, line 21.
Strike: "monthly"
Insert: "quarterly"

2. Page 8, lines 6 and 10.
Strike: "month"
Insert: "quarter"

Amendment passed as follows:

Ayes: Abrams, Asay, Bachini, Bradley, Brandewie, D. Brown, Campbell, Cobb, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Driscoll, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Sales, Schultz, Schye, Simon, Smith, Stang, Swift, Switzer, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Mr. Speaker.
Total 85

Noes: Cohen, Ellerd, Hannah, Peck, Ramirez, Rehberg, Sands, Spaeth, Zabrocki.
Total 9

Excused: Addy, J. Brown, J. Moore.
Total 3

Absent or not voting: Bardanouve, Harper, O'Hara.
Total 3

Representative Ellerd moved that HB 53, as amended, do not pass. Representative Pavlovich made a substitute motion that HB 53, as amended, do pass. The substitute motion carried as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Campbell, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harp, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, Nathe, Neill, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Sands, Smith, Stang, Switzer, Veleber, Williams, Winslow, Mr. Speaker.
Total 70

Noes: Cobb, Cohen, Connelly, Ellerd, Ernst, Gilbert, Hannah, Harper, Kadas, Miles, Montayne, J.K. Moore, Nelson, O'Hara, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Schye, Simon, Spaeth, Swift, Thoft, Thomas, Wallin, Zabrocki.
Total 27

Excused: Addy, J. Brown, J. Moore.
Total 3

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keyser moved the adoption of the committee report. Report adopted. (73-21)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 20, free conference committee report no. 3, adopted as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Cody, Compton, Connelly, Darko, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hannah, Hansen, Hanson, Harbin, Harp, Harper, Harrington, Hart, Hayne, Howe, Iverson, Jenkins, Jones, Kadas, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miles, Miller, Montayne, J.K. Moore, Nathe, Neill, Nelson, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Ramirez, Raney, Rapp-Svrcek, Ream, Rehberg, Sales, Sands, Schultz, Schye, Simon, Smith, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 88

Noes: Campbell, Cobb, Cohen, Driscoll, Holliday, Peck, Phillips, Spaeth, Switzer.
Total 9

Excused: Addy, J. Brown, J. Moore.
Total 3

Absent or not voting: None.
Total 0

HB 53 passed as follows:

Ayes: Abrams, Asay, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, Campbell, Cody, Compton, Darko, Devlin, Donaldson, Driscoll, Ellison, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Hanson, Harbin, Harrington, Hart, Hayne, Holliday, Howe, Iverson, Jenkins, Jones, Keenan, Keller, Kennerly, Keyser, Kitselman, Koehnke, Krueger, Lory, McCormick, Manuel, Marks, Menahan, Mercer, Miller, J. Moore, Nathe, Neill, Nisbet, O'Connell, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Ream, Sands, Smith, Stang, Switzer, Veleber, Williams, Mr. Speaker.
Total 70

Noes: Cobb, Cohen, Connelly, Ellerd, Ernst, Hannah, Harp, Harper, Kadas, Miles, Montayne, J.K. Moore, Nelson, O'Hara, Ramirez, Rapp-Svrcek, Rehberg, Sales, Schultz, Schye, Simon, Spaeth, Swift, Thoft, Thomas, Wallin, Winslow, Zabrocki.
Total 28

Paired: J. Moore, Aye; Harper, No.

Excused: Addy, J. Brown.
Total 2

Absent or not voting: None.
Total 0

MESSAGES FROM THE OTHER HOUSE

Free conference committee report adopted: 7/1/86

SB 20, free conference committee report no. 3

House bill concurred in and returned to the House: 7/1/86

HB 14, introduced by Bardanouve

Senate bill passed and transmitted to the House for concurrence: 7/1/86

SB 17, introduced by Eck

FIRST READING AND COMMITMENT OF BILLS AND RESOLUTIONS

The following Senate bill was introduced, read first time, and referred to committee:

SB 17, introduced by Eck. Referred to Committee on Taxation.

MOTIONS

Representative Harper moved that the House stand in recess until 5:00 p.m. so the Committee on Taxation could meet. Motion carried.

House recessed at 4:02 p.m.

House reconvened at 5:00 p.m.

Mr. Speaker in the Chair.

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/1/86
Correctly enrolled: HB 35, HB 44.

TAXATION (Devlin, Chairman): 7/1/86
SB 17, be concurred in. Report adopted.

MOTIONS

Representative Harper moved that the House stand in recess to allow the parties to caucus until 5:25 p.m. Motion carried.

House recessed at 5:02 p.m.

House reconvened at 5:45 p.m.

Mr. Speaker in the Chair.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Addy moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keyser in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

SB 17 - Representative Sands moved that SB 17, third reading copy, be amended. Amendment failed. (50-50)

Representative Harrington moved that SB 17 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bardanouve, Bradley, Brandewie, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Stang, Veleber, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 58

Noes: Asay, Campbell, Cobb, Compton, Devlin, Ellerd, Ellison, Ernst, Gilbert, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Mercer, Miller, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Winslow.
Total 42

Paired: J. Brown, Peck, Ayes; Hannah, Rehberg, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

HB 14 - Representative D. Brown moved that Senate amendments to HB 14 be concurred in. Motion failed. (49-51)

Representative Harper moved that Senate amendments to HB 14 be not concurred in. Motion failed as follows:

Ayes: Asay, Bardanouve, Brandewie, Campbell, Cobb, Compton, Devlin, Donaldson, Ellerd, Ellison, Ernst, Eudaily, Gilbert, Glaser, Gould, Grady, Hannah, Hanson, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Lory, Marks, Mercer, Miller, J.K. Moore, Nathe, Neill, Nelson, O'Hara, Patterson, Peterson, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Wallin, Winslow.

Total 50

Noes: Abrams, Addy, Bachini, Bradley, D. Brown, J. Brown, Cody, Cohen, Connelly, Darko, Driscoll, Fritz, Garcia, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, McCormick, Manuel, Menahan, Miles, Montayne, J. Moore, Nisbet, O'Connell, Pavlovich, Peck, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Stang, Veleber, Williams, Zabrocki, Mr. Speaker.
Total 50

Paired: Hannah, Marks, Rehberg, Ayes; J. Brown, Peck, Quilici, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Harper moved that the House reconsider its action in failing to concur in Senate amendments to HB 14. Motion failed. (49-51)

According to Rule H1-5, Senate amendments to HB 14 have failed to pass second reading.

Chairman Keyser announced that the Committee of the Whole would recess subject to the call of the Chair.

House recessed at 6:45 p.m.

House reconvened at 7:15 p.m.

Chairman Keyser in the Chair.

Representative Harper moved that the committee rise and report and beg leave to sit again. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keyser moved the adoption of the committee report. Representative Harper made a substitute motion that Senate amendments to HB 14 be segregated from the committee report and that, as amended, report be adopted. Motion carried. (87-11)

MOTIONS

Representative Harper moved that the Senate amendments to HB 14 be placed back on second reading. Motion carried.

SECOND READING OF BILLS (COMMITTEE OF THE WHOLE)

Representative Harper moved that the House resolve itself into a Committee of the Whole, for the consideration of business on second reading. Motion carried. Representative Keyser in the Chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

HB 14 - Representative D. Brown moved that Senate amendments to HB 14 be concurred in. Motion carried as follows:

Ayes: Abrams, Addy, Bachini, Bradley, Brandewie, D. Brown, J. Brown, Campbell, Cobb, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Gilbert, Glaser, Gould, Grady, Hand, Hansen, Harbin, Harp, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel,

Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Neill, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peck, Peterson, Phillips, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schultz, Schye, Simon, Spaeth, Stang, Swift, Thoft, Thomas, Veleber, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 75

Noes: Asay, Bardanouve, Compton, Devlin, Ellerd, Ellison, Ernst, Hannah, Hanson, Hayne, Iverson, Jones, Keyser, Kitselman, Marks, Miller, J.K. Moore, Nelson, Ramirez, Rehberg, Sales, Sands, Smith, Switzer, Wallin.
Total 25

Paired: J. Brown, Peck, Ayes; Hannah, Sands, Noes.

Excused: None.
Total 0

Absent or not voting: None.
Total 0

Representative Harper moved that the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker in the Chair. Chairman Keyser moved the adoption of the committee report. Report adopted. (75-21)

THIRD READING OF BILLS

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

SB 17 concurred in as follows:

Ayes: Abrams, Addy, Bachini, Bradley, Brandewie, D. Brown, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Kadas, Keenan, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Montayne, J. Moore, Neill, Nisbet, O'Connell, Patterson, Pavlovich, Peterson, Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Stang, Veleber, Wallin, Williams, Zabrocki, Mr. Speaker.
Total 59

Noes: Asay, Bardanouve, Campbell, Cobb, Compton, Devlin, Ellerd, Ellison, Ernst, Gilbert, Hannah, Hanson, Harp, Hayne, Iverson, Jenkins, Jones, Keller, Keyser, Kitselman, Marks, Miller, J.K. Moore, Nathe, Nelson, O'Hara, Phillips, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Swift, Switzer, Thoft, Thomas, Winslow.
Total 39

Excused: J. Brown, Peck.
Total 2

Absent or not voting: None.
Total 0

HB 14, Senate amendments, concurred in as follows:

Ayes: Abrams, Addy, Bachini, Bradley, D. Brown, Campbell, Cody, Cohen, Connelly, Darko, Donaldson, Driscoll, Ellerd, Eudaily, Fritz, Garcia, Glaser, Gould, Grady, Hand, Hansen, Harbin, Harper, Harrington, Hart, Holliday, Howe, Jenkins, Kadas, Keenan, Keller, Kennerly, Koehnke, Krueger, Lory, McCormick, Manuel, Menahan, Mercer, Miles, Montayne, J. Moore, Nathe, Neill, Nisbet, O'Connell, O'Hara, Patterson, Pavlovich, Peterson, Phillips,

Pistoria, Poff, Quilici, Raney, Rapp-Svrcek, Ream, Schye, Spaeth, Stang, Swift, Thoft, Thomas, Veleber, Wallin, Williams, Winslow, Zabrocki, Mr. Speaker.
Total 69

Noes: Asay, Bardanouve, Brandewie, Cobb, Compton, Devlin, Ellison, Ernst, Gilbert, Hannah, Hanson, Harp, Hayne, Iverson, Jones, Keyser, Kitselman, Marks, Miller, J.K. Moore, Nelson, Ramirez, Rehberg, Sales, Sands, Schultz, Simon, Smith, Switzer.
Total 29

Excused: J. Brown, Peck.
Total 2

Absent or not voting: None.
Total 0

MESSAGES FROM THE OTHER HOUSE

House amendments to Senate bill concurred in: 7/1/86

SB 14, introduced by Neuman

MOTIONS

Representative Harp moved that the conference committee report on SB 14 be placed on second reading. After a debate on the funding of Montana highways, Representative Harp withdrew his motion.

Representative Harper moved that Joint Rule 6-21 be interpreted by the House as allowing five working days for enrolling and signing of all bills and resolutions passed by the third special session of the 49th Legislature. Motion carried.

Representative Harper moved that the House adjourn sine die.

Motion carried.

House adjourned at 7:45 p.m.

John Vincent, Speaker

Ed Smith, Chief Clerk

ADDENDUM
TO THE
HOUSE JOURNAL

REPORTS OF STANDING COMMITTEES

BILLS (Menahan, Chairman): 7/1/86
Correctly enrolled: HB 14.
Signed by the Speaker at 9:00 a.m., 7/3/86: HB 14, HB 21, HB 35, HB 44.
Delivered to the Governor for his approval at 11:10 a.m., 7/3/86: HB 14, HB 21, HB 35, HB 44.

MESSAGES FROM THE GOVERNOR

The Honorable John Vincent July 8, 1986
Speaker of the House
State Capitol
Helena, Montana 59620

Dear Mr. Speaker:

This is to inform you that I signed House Bills No. 11, 21, 24, 25, 26, 32, 36, and 47 at approximately 5:10 p.m. on July 3, 1986.

Sincerely,

Ted Schwinden
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

July 10, 1986

Dear Mr. Speaker:

This is to inform you that I signed House Bills No. 7, 37, 38, and 46 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

July 15, 1986

Dear Mr. Speaker:

This is to inform you that I signed House Bill No. 44 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

July 16, 1986

Dear Mr. Speaker:

This is to inform you that I signed House Bills No. 14, 22, 40, and 45 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

July 21, 1986

Dear Mr. Speaker:

This is to inform you that I signed House Bills No. 10 and 35 on this date.

Sincerely,

Ted Schwinden
Governor

The Honorable John Vincent
Speaker of the House
State Capitol
Helena, Montana 59620

July 23, 1986

Dear Mr. Speaker:

This is to inform you that I signed House Bill No. 48 on this date.

Sincerely,

Ted Schwinden
Governor

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